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COUNTY OF SAN DIEGO  
SOLID WASTE  
LOCAL ENFORCEMENT AGENCY

PROPOSED SOLID WASTE FACILITY PERMIT  
GREGORY CANYON LANDFILL

PUBLIC INFORMATION MEETING  
FEBRUARY 23, 2011

FALLBROOK, CALIFORNIA  
6: 35 P. M.

REPORTED BY:  
DAWN M. DAVILA  
CSR No. 8383, RPR, CLR

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APPEARANCES:

MICHAEL DRAKE	- COUNTY OF SAN DIEGO PUBLIC AFFAIRS OFFICER LAND USE AND ENVIRONMENT GROUP
JACK MILLER	- COUNTY OF SAN DIEGO DIRECTOR
REBECCA LAFRENIERE	- COUNTY OF SAN DIEGO CHIEF, COMMUNITY HEALTH DIVISION
JIM HENDERSON	- COUNTY OF SAN DIEGO ENVIRONMENTAL HEALTH SPECIALIST

CITY STAFF:

STEVE KOZAK	- PLANNING MANAGER
CHERYL KUTA	- DIRECTOR OF DEVELOPMENT SERVICES
GAYLE ACKERMAN, AICP	- ASSISTANT CITY ATTORNEY
MAL RICHARDSON	- SENIOR PLANNER
CARRIE TAI	- ASSOCIATE PLANNER
JENNIFER MANSUR	- SENIOR PLANNER
RON SANTOS	- SENIOR PLANNER
PEGGY SMITH	- ADMINISTRATIVE SECRETARY

PUBLIC SPEAKERS:

SUPERVISOR PAM SLATER-PRICE  
MARK HAMMOND  
CHAIRMAN ROBERT SMITH  
SHASTA GANGHEN  
PAMELA EPSTEIN  
MEL VERNON  
HERSHILL PRICE

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PUBLIC SPEAKERS (CONTINUED):

LAVON PECK (PHONETIC)

JIM SIMMONS

RICHARD FELAGO

BILL MAGDYCH

BILL HUTTON

KATE TANNER

GRAYSON SOBEL

SHEILA MANNING

RUTH HARBER

HELENE BRAZIER

MARY HANSON

GERALD WALSON

J. P. EMBRY

DAMON NAGAMI

MATT SIMMONS

JOHNNY PUPPAS

DON RODEE

JASON SIMMONS

FRI TZ STUMPGES

JOY WILLIAMS

LAURA HUNTER

ROSE BOLTON

KIM YEARYEAN

LARRY PURCELL

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PUBLIC SPEAKERS (CONTINUED):

WALTER RUSINEK

KATHLEEN PATTON

JONATHAN FEGAN

JAMES ORCUTT

CYNTHIA MALLETT

GEORGE COURSER

PATSY FRITZ

GEORGE WILKINS

DAVE SHIBLEY

BOB THOMPSON

LEROY MIRANDA

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WEDNESDAY, FEBRUARY 23, 2011

FALLBROOK, CA

MR. DRAKE: Good evening, everyone, and thank you for coming. Thank you for coming to this public information meeting. I'm Michael Drake. I'm the public affairs officer for the Land Use Environmental Group of the County of San Diego. On behalf of the Department of Health -- Environmental Health, I would like to welcome all of you to this meeting.

With us tonight is Jack Miller, who will make the initial decision on whether to issue a solid waste

12 facility permit for the proposed Gregory Canyon  
13 Landfill. Also with us tonight is Rebecca Lafreniere,  
14 chief of the LEA; and Jim Henderson. Jim is outside,  
15 who is the lead LEA staff person assigned to the Gregory  
16 Canyon Landfill project. Also with us tonight, our  
17 attorney with the Office of County Counsel,  
18 Rodney Lorang.

19 Now I would like to turn the meeting over to  
20 Mr. Miller, who will make a few comments.

21 MR. MILLER: Thank you. Thank you, Michael.

22 Is that clear? Is that coming across?

23 Okay. Thank you, Michael.

24 When I make my decision on whether to issue a  
25 solid waste facility permit for the proposed Gregory

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1 Canyon Landfill, I'll be taking an action as the head of  
2 the Local Enforcement Agency. And the Local Enforcement  
3 Agency, you're going to hear us referred to as the LEA,  
4 is a partner with the California Department of  
5 Resources, Recycling and Recovery, now called  
6 CalRecycle.

7 Now, you may -- if you've been tracking the  
8 project a while, you'll recognize that is the old  
9 California Integrated Waste Management Board. So  
10 CalRecycle is the new state agency.

11 And my decision on a permit will be reviewed by  
12 CalRecycle if -- on whether they agree or object to it,  
13 if I approve the permit. The County Board of  
14 Supervisors is not involved in this permitting process.

15 In addition to processing permits for solid  
16 waste, landfills, and closed landfills, we conduct  
17 inspections of active facilities, transfer stations, and  
18 where we enforce all state laws and regulations. We are  
19 the County LEA, except in the City of San Diego where  
20 they are the LEA. We -- the LEA's work is done under  
21 the guidance of the State, of CalRecycle.

22 The primary purpose of the solid waste facility  
23 permit is to ensure proper handling and disposal of  
24 solid waste. It is done along with protecting public  
25 health and the environment. Permits are customized.

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1 They specify the design and operating parameters for a  
2 given solid waste facility in accordance with State  
3 standards.

4 We're here tonight to hear your comments about  
5 a solid waste facility permit that is being proposed for  
6 Gregory Canyon. I will consider your comments in making  
7 my decisions.

8 I'm going to pass it back to Michael.

9 MR. DRAKE: Thank you.

10 If you've not already done so, please be sure  
11 to sign in at the tables at the back. And if you care  
12 to speak, you can fill out a comment card or a speaker  
13 slip. Again, you can issue a written comment or speak  
14 tonight. Each have equal weight in your presentation.

15 This meeting is also being recorded tonight,  
16 and a transcript will be issued -- will be created for  
17 tonight's meeting.

18 Tonight's informational meeting is being held  
19 in accordance with Section 44004 of the Public Resources  
20 Code, which requires the LEA to hold an informational  
21 meeting whenever a new solid waste facility permit is  
22 requested. Gregory Canyon Landfill has submitted an

23 application to the LEA requesting a solid waste facility  
24 permit for the proposed Gregory Canyon Landfill, a new  
25 municipal solid waste disposal site.

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1 Now, the purpose of tonight's meeting is  
2 threefold: To provide information to the public and  
3 interested parties regarding the requested permit.  
4 Also, to advise the public of the preliminary  
5 determination of the LEA staff concerning the requested  
6 permit. Also, to listen to you, to listen to public  
7 input and concerns, regarding the requested permit.

8 Now, be advised this is an informational  
9 meeting only. A decision on the permit will not be made  
10 at tonight's meeting. In a few weeks or months after  
11 consideration of the comments and concerns we hear here  
12 tonight, Mr. Miller will make a decision on the proposed  
13 permit. If the decision is made to issue a solid waste  
14 facility permit, a proposed permit and supporting  
15 materials will be forwarded to CalRecycle for  
16 concurrence or objection. The materials provided to  
17 CalRecycle include a summary of the comments provided by  
18 all of you tonight and a copy of any written comments  
19 also submitted.

20 Now for a few comments about tonight's meeting.  
21 First, Rebecca Lafreniere will give a brief presentation  
22 on the history of the project. After that, we will hear  
23 your comments. Then the meeting will close. We will  
24 not respond to comments, nor will we answer questions  
25 during this meeting. It is for you to provide your

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1 input.

2 Now, if you wish to provide verbal comments  
3 tonight, please complete the comment card and give it to  
4 the staff at the sign-in table back there. You are  
5 welcome to speak, as we said, or provide any written  
6 comments.

7 Now, if you wish to speak, I will call a small  
8 group of numbers and your name. Please, then, come up  
9 in the little alcove area right over there, then you can  
10 come up to the microphone and take your place in line.  
11 Please, now, limit your comments to three minutes. We  
12 have a lot of people here tonight; a lot of you wish to  
13 speak. So we want to make sure we allow everyone a  
14 chance to speak.

15 Now, as moderator, I will keep time and I will  
16 show you this little sign when you have 20 seconds  
17 remaining for you to conclude your comments. When your  
18 time is up, I will hold up this sign, thank you, and the  
19 next speaker, then, step forward to the podium.

20 Now, judging by the size of the audience  
21 tonight, we may not be able to hear all of you, but we  
22 will make every attempt to do so. So if you wish to  
23 provide written comments, you can do so in the comment  
24 cards provided. So please turn those cards in at the  
25 close of the meeting.

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1 Please focus your comments on the solid waste  
2 facility permit for the proposed landfill. And, again,  
3 please end your comments when the three minutes are up  
4 so we can have everybody heard. I'll also take an  
5 occasional break to allow everyone to use the  
6 facilities, which are out the door, down the hallway, to  
7 your right.

Thank you for attending tonight, for your patience. And I would like to turn the program over to LEA Chief, Rebecca Lafreniere.

MS. LAFRENIERE: Thank you, Michael.

I would like to thank you all for attending tonight's meeting. We're very interested in hearing your comments on the proposed permit.

The purpose of the meeting, as Michael had mentioned, is to provide information to the public and interested parties regarding the requested permit, to advise the public of the LEA's preliminary determination, and to listen to public input and concerns regarding the requested permit.

Please be advised that this is an informational meeting only. A decision on the proposed permit will not be made at the meeting tonight. The LEA will be listening to your comments, and a transcript of the meeting will be generated.

A bit of the background on the proposed landfill project. Proposition C was approved by the voters in 1994, which amended the General Plan and the Zoning Ordinance. In 2004, Proposition B was introduced, seeking to invalidate the 1994 initiative. This was not approved by the voters. As a result of Proposition C, a major use permit for the proposed landfill was not required. However, the project still has to comply with the California Environmental Quality Act, also known as CEQA. The LEA is the lead agency for CEQA.

The LEA certified an environmental impact report in 2003 for the proposed project. Due to litigation, the court directed the LEA to conduct an additional analysis for traffic, mitigation for impacts to biology, and water supply. This resulted in a revised final EIR, which was certified in 2007. The court then directed the LEA to conduct additional analysis on the water supply, and this resulted in the 2008 addendum. The 2009 addendum addressed additional sources of water and using that water. And then in 2010, an addendum was generated to address the U.S. Army Corps of Engineers updated jurisdictional determination.

The LEA had previously issued a solid waste facility permit for the landfill in 2004. In July 2007,

an application for modification was received by the Applicant. On June 14, 2010, the Superior Court issued a decision that the 2004 permit was invalid. As a result, on August 5th, 2010, the Applicant submitted an application package, and the LEA accepted this as incomplete, as allowed in regulation. The Applicant submitted revisions to their application in conformance with state regulations, specifically Title 27, California Code of Regulations. On February 1st, 2011, the LEA determined that the application was complete and correct.

Additional information, including copies of CEQA-related documents and the complete permit application package is available on the LEA's website at this particular link, and it is available in the back of the room on slips of paper. Please be advised the PowerPoint will also be added to the website by the end of this week.

The general location of the project, as described in Proposition C, is approximately three miles east of Interstate 15 along State Route 76 with the project area in the south of San Luis Rey River. This will give you some landmarks here. This is the Gregory Canyon Mountain, Gregory Canyon canyon with the proposed landfill footprint, some ancillary properties here to

support the disposal site recycling center. Interstate 15 is to the west. State Route 76 is right here.

Proposition C identified 1770 acres. 1,330 acres are to be used for permanent open space. The project area for the solid waste facility permit is 308 acres with a footprint of 168. A footprint is where waste will be disposed.

The proposed permitting activities would allow for municipal solid waste sanitary landfill to receive waste Monday through Friday from 7 a.m. until 6 p.m. and on Saturdays from 8 to 5. It would have a maximum permitted average daily tonnage of 3200 tons per day, and a peak daily tonnage of up to 5000 tons per day, and a maximum permitted annual tonnage of one million tons per year.

It would have a maximum permitted traffic of up to 675 vehicles per day with design parameters to include a permitted area 308 acres. As I mentioned, the disposal area for waste receipt of 183 acres. It has a design capacity of 59 and a half million cubic yards, and a maximum elevation of 1100 feet above mean sea level. The maximum depth would be 523 feet above mean sea level. And it has an estimated closure date of 2040.

CEQA Mitigation and Monitoring Program as well

as project design features will be enforceable through the solid waste facility permit.

The LEA staff preliminary determination is that the application package was found to be complete and correct and accepted for filing on February 1st, 2011. This allows for the permit process to be initiated, and part of that process is to conduct an informational meeting on February 23rd, 2011. Again, one of the findings of the proposed facility is consistent with Public Resources Code. So the LEA is to write a proposed solid waste facility permit after listening to public comment.

The LEA -- the Department of Environmental Health director determines whether to approve the permit. If Mr. Miller approves the permit -- the proposed permit, the application package and a summary of comments will be sent to CalRecycle. The statutory time allowed, we have up until April 1st, 2011, to submit the package unless the time is waived by the Applicant. CalRecycle has 60 days to concur or object, or until May 31st. Again, unless the Applicant waives the timeline. If CalRecycle concurs, the LEA will issue the permit.

The LEA authority is to enforce standards for the design, operation, maintenance, and ultimate reuse

of solid waste facilities. It does not include aspects of solid waste handling or disposal, which are within the jurisdiction of the Air Pollution Control District

or the Regional Water Quality Control Board. The solid waste facility permit is just one of many permits that are required for the operation of the landfill. Other agencies that either have approval or permits for this project include California Department of Resources, Recycling and Recovery, CalRecycle. The San Diego Regional Water Quality Control Board. The San Diego Air Pollution Control District. The California Fish and Game. The U.S. Army Corps of Engineers, and U.S. Fish and Wildlife.

We are accepting public comment. If you choose to provide written comments, you can place those comments in the comment box in the back of the room or you can e-mail to dehcomments@sandiego.ca.gov or through the U.S. Postal Service. And we will continue to accept written comments after the close of this meeting. We are also going to listen to verbal comments, and our process will allow our elected officials and tribal leaders to start, followed by group presentations, and then the general public.

This concludes the PowerPoint. I'm going to turn it over to Mr. Drake.

MR. DRAKE: All right. Thank you.

Now I would like to invite members of the audience to provide your comments. If you turned in a speaker slip, I'll call you to speak a few at a time. I'll call the number you were given and also your name. Again, please line up in the little alcove area there.

When you're called up to the microphone when your turn comes when the previous speaker is finished, please step up to the microphone and introduce yourself however you'd like. We would also like to have your name for the record, and I'm sure the room would like to know the community that you come from. But giving that information, of course, is not a condition for you to speak. Please remember to focus your comments on the requested permit only and limit your comments to three minutes. I'll signal you when you have 20 seconds in which to conclude your comments, and then, also, when your time is up. Please then step back from the podium and allow the next person in line to speak.

Now, if you have not submitted a speaker slip as yet, you can still come up to the microphone later tonight after we are done with the submitted speaker slips, unless, of course, we run out of time.

So first off, I would like to invite Supervisor Pam Slater-Price.

Thank you, Pam.

MS. SLATER-PRICE: Thank you very much. It's a pleasure to see so many of the same familiar faces I've seen on a number of occasions. I'm Pam Slater-Price, County Supervisor, District 3, for the County of San Diego.

Here we are again. So many familiar faces and such a familiar topic. As always, I'm impressed by the great number of people who have taken time out of their busy schedule and driven quite a long way to testify against Gregory Canyon Landfill. Representatives from cities and water districts are here or have sent their comments because a number of city councils who do have positions of opposition are meeting tonight and they're

15 unable to be here in person.

16 So we also have environmental advocates here as  
17 well, as well as tribal leaders. The Pala Band of  
18 Mission Indians, their very heritage is at risk of being  
19 buried beneath 30 million tons of trash, so they have a  
20 very special interest in this project.

21 Some of tonight's speakers have stood alongside  
22 of the Pala Indians for more than 20 years. Many of the  
23 arguments you will hear tonight have been voiced for  
24 more than two decades. A lot has changed over that  
25 time, but this amount remains constant: The unmitigable

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1 environmental consequences of this dump. What was  
2 unmitigable 20 years ago remains unmitigable today.

3 Tonight's testimony will touch upon the danger  
4 to an invaluable water supply, threats to cultural  
5 heritage, and the intrusion of noise, dust, and odor  
6 into a bucolic landscape. In fact, these unmitigable  
7 impacts are the substance of government reports that  
8 also are nearly two decades old.

9 A county report, which I have here tonight and  
10 I've distributed to the panel, dated 1994 and lists me  
11 as one of the board members at that time, my second year  
12 in office, that county report poked holes in the  
13 arguments presented by the Gregory Canyon Landfill  
14 Initiative at that time. County staffers rejected the  
15 proponents' assertion that Gregory Canyon ranked as a  
16 preferred landfill site. County officials identified  
17 several obstacles to developing Gregory Canyon,  
18 including the fact that it straddles a river that  
19 provides significant drinking water to several cities,  
20 fragile habitat, endangered species and cultural  
21 resources. Earlier still, in 1990, a report from the  
22 county Grand Jury recommended that authorities reject  
23 selection of the Gregory Canyon site.

24 Today, so many years later, our waste stream  
25 has changed. Curbside recycling and green waste

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1 collection was limited in 1990. Now these practices are  
2 the norm and are gaining in popularity.

3 Diversion rates and landfill lifespans are on  
4 the increase. Local landfills have been expanded. Some  
5 institutions and some communities have set goals for  
6 zero waste, include the City and County of  
7 San Francisco.

8 Just as the waste stream is shrinking, so is  
9 the natural habitat that once was so plentiful here in  
10 north county. Gregory Canyon must remain pristine. The  
11 water and the river must remain protected.

12 In light of the serious and unmitigable impacts  
13 Gregory Canyon Landfill presents, I hereby urge you to  
14 reject this application. Just as in the movie  
15 "Groundhog Day," they kept having to go back and repeat  
16 it and repeat it and repeat it until they finally got it  
17 right. Here is our chance to finally get it right.  
18 Thank you.

19 MR. DRAKE: Thank you, Supervisor.

20 Could we have, next, Mark Hammond from the City  
21 of Oceanside.

22 MR. HAMMOND: Good evening, ladies and  
23 gentlemen. My name is Mark Hammond. I represent the  
24 City of Oceanside and the Office of the Mayor. He could  
25 not be here this evening, so I'm here to read a letter



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1 from the Mayor's office:

2 Dear Mr. Henderson, I'm writing on the behalf  
3 of the City of Oceanside to request that you deny the  
4 proposed solid waste permit. If approved, the landfill  
5 would have an adverse effect on the local water supplies  
6 within the City of Oceanside and would risk the economic  
7 vitality of one of the largest cities in the region.

8 As imported water supplies from the Delta and  
9 the Colorado River become more and more constrained,  
10 local water supplies such as those in Oceanside have  
11 become increasingly important. Over the last 150 years,  
12 the City of Oceanside has utilized the San Luis Rey  
13 River aquifer as an important source of water for its  
14 own water supply. And, in fact, the San Luis Rey River  
15 aquifer supplies 15 percent of the water needs for  
16 Oceanside's citizens and businesses. And it also  
17 represents a significant capital investment by the City.  
18 In the last 20 years, the City has spent \$23 million on  
19 groundwater facilities. And in the next 20 years, they  
20 plan to invest an additional \$150 million on groundwater  
21 facilities.

22 Oceanside has grave concerns about the  
23 landfill's potential to leak toxic pollutants into these  
24 critical groundwater supplies. Landfills should never  
25 be placed next to an active river or tributary to an

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1 aquifer under any circumstances. If the landfill permit  
2 is approved and the liner fails, the resulting  
3 contamination will affect the San Luis Rey River aquifer  
4 and directly impact Oceanside's local water supplies.  
5 Losing one of the few basins in San Diego County to  
6 contamination would hurt all of San Diego County.

7 Oceanside feels strongly that this site is  
8 unsuitable for a landfill. As you may recall, the  
9 County rejected the location because it failed seven of  
10 eight siting criteria. We believe that it will be  
11 impossible to engineer the site to make it safe for a  
12 landfill and would create a colossal risk to Oceanside's  
13 natural resources.

14 Oceanside residents and businesses should not  
15 have to bear the burden of remediating leakage from a  
16 landfill sited near a significant water supply. The  
17 City of Oceanside requests that you deny the permit  
18 application. Thank you for your consideration.

19 MR. DRAKE: Call Chairman Robert Smith from the  
20 Pala Band of Mission Indians.

21 CHAIRMAN SMITH: Okay. Good evening, my name  
22 is Robert Smith, Chairman of the Pala Band of Mission  
23 Indians. I am here to strongly oppose the Gregory  
24 Canyon Landfill, which is a terrible and unnecessary  
25 project. If built, this dump would desecrate Gregory

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1 Mountain and other areas considered sacred by the  
2 Luiseno people, forever threaten water sources that  
3 supply tens of thousands of San Diego County residents,  
4 the great air quality, industrialize a rural area that  
5 provides habitat for a number of endangered and other  
6 special species.

7 San Diego County had it right when they  
8 repeatedly refused to approve the landfill in Gregory  
9 Canyon in 1990 because of its location. But proponents  
10 got majority voters of the County to rezone the site in

a sparsely populated corner of the county next to the Pala Indian Reservation. That vote was evidence that democracy does not always produce just results. The vote would allow landfill at the site, if approved, through a multiple permit process that the project would be required to go through. By no means did the vote mandate that the landfill be created at this location.

As a Local Enforcement Agency, the Department of Environmental Health needs to recognize that voter approval does not translate into automatic rubber stamp of the landfill. There is a simple reason why this project has been studied for so long. Gregory Canyon is the wrong place for a dump; it is next to the San Luis Rey River, a resource of natural importance; next to two major drinking water pipelines; within the critical

habitat of three endangered species; and on the side of a sacred mountain. Surely there are alternatives that would be less environmentally damaging.

The LEA's review also must acknowledge the circumstances that changed since Proposition C was passed in 1994. The claimed landfill crisis has not materialized as stricter laws and growing public awareness has decreased the percentage of waste that is disposed. And the amount of waste that is recycled, reused, and turned into energy in the future will only increase. Simply, there is a significant landfill capacity and no need for this landfill.

Critical water supplies have also decreased. The recent forecast called for increasingly scares due to global climate change. In light of those facts, does it make any sense to build a landfill that would threaten critical groundwater supplies, as well as critical pipeline and carries imported water to the County of San Diego? The need to protect increasingly declining water supplies far outweighs any claimed needs for additional landfill capacity. For these reasons, the Pala Band of Mission Indians urges the LEA to deny the solid waste permit.

You say you're keepers of the environment. Protect the land. Don't pollute the San Luis Rey River

and everybody down the stream. Thank you.

MR. DRAKE: Could we now have Shasta Ganghen of the Pala Band of Mission Indians.

MS. GANGHEN: Good evening, my name is Shasta Ganghen. I'm the environmental director for the Pala Band of Mission Indians. The Pala Band has been part of the fight against the Gregory Canyon Landfill for two decades because it would threaten significant drinking water sources, impact sensitive species and desecrate sacred sites. It is on top of an aquifer that supplies drinking water to several San Diego communities, including Oceanside. It is right next to the San Luis Rey River. The landfill would destroy habitat and the breeding capabilities of the arroyo toad, the Least Bell's Vireo, the California gnatcatcher, and the southwest willow flycatcher. And it sits on the slopes of Gregory Mountain, which is sacred to the Pala Band and other Luiseno tribes. And almost on top of Medicine Rock, which is a sacred site. There could hardly be a worst spot for a garbage dump.

Pala is not in this fight alone. There is a

22 broad-based opposition to the Gregory Canyon dump. The  
23 cities of Oceanside, Del Mar, Solana Beach, and Carlsbad  
24 oppose this dump. All 18 San Diego County Indian  
25 tribes, the Sierra Club, Natural Resources Defense

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1 Council, Surf Rider, Environmental Health Coalition,  
2 River Watch, and many other environmental protection  
3 groups and religious organizations oppose the dump  
4 because of the impacts I just stated. Multiple current  
5 and former elected officials oppose this dump.  
6 Pala is not anti development or anti waste  
7 disposal, but we are against this landfill. Why?  
8 Because it is the wrong place to put a dump. Gregory  
9 Canyon was rejected as an appropriate landfill site by  
10 San Diego County in the early 1990s because it was too  
11 small and too difficult to mitigate the environmental  
12 and cultural impacts. Seeing this defeat, the  
13 out-of-state landfill developers voluntarily quit the  
14 standard county process for siting a landfill and funded  
15 a deceptive ballot initiative in 1994 to get the General  
16 Plan amended for a landfill, but only if they could get  
17 all the permits. That was not a mandate to build a  
18 landfill at this location, although it seems as though  
19 the LEA has treated it as such. Seventeen years later,  
20 GCL still has yet to get a single permit. Why? Because  
21 this is the wrong place to build a dump.

22 The belief that north county needed a landfill  
23 disappeared a long time ago. Since the approval of  
24 Proposition C in 1994, the methods for handling trash  
25 have changed dramatically. Gone are the days of trash

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1 trucks hauling trash from homes to a landfill. Trash is  
2 taken to transfer stations which sort the trash for  
3 recycling and reuse. And with the remain residue, a  
4 decreasing proportion of the trash, being transported in  
5 container trucks to landfills or more recently to energy  
6 development facilities. The result has been a decreased  
7 reliance on the proximity of a landfill to a trash  
8 source and a significantly decreased waste stream that  
9 is available to go to landfills.

10 In 2009, only 3 million tons of trash was  
11 disposed of in all of the San Diego County landfills,  
12 one-third of which went to Miramar, and the remainder of  
13 which went to the Otay and Sycamore landfills. All of  
14 these will remain operational well into the future. The  
15 amount of waste disposed in San Diego has decreased 25  
16 percent in five years, and will continue to decrease as  
17 waste diversion rates increase.

18 The need for a new landfill to handle San Diego  
19 County trash is simply not there. So why is Gregory  
20 Canyon Landfill developers pushing this? It's for  
21 money, big money. If you can get trash to a landfill,  
22 you can charge for it and make big profits for GCL's  
23 out-of-town investors.

24 With the diminishing waste stream in San Diego  
25 County, GCL has already started to seek trash from

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1 outside the county and use our county as a waste  
2 receptacle for Los Angeles, Orange, and Riverside  
3 Counties. And, indeed, we have heard from these  
4 departments that GCL has already sought contracts to  
5 gain trash from out-of-town cities.

6 Don't let them fool you into thinking that this

dump is only for north county or that this is an altruistic effort on their part. They are not here to solve a problem. They are not here to further the region's goals for appropriate waste disposal. They have invested their out-of-state dollars in this to make money, period, in whatever way or with whatever waste source they can use.

Even if the LEA were indifferent to the cultural and environmental sensitivity of Gregory Canyon, you must also look at your own records to recognize that it is too small for a long-term landfill. The County and its consultants agreed to this on multiple occasions before Proposition C was even a thought in the developers' heads. This may have been one of the main reasons they quit the siting process in 1993. But the recently voter-approved east Otay Mesa Landfill location has nearly five times the lifetime capacity of Gregory Canyon without the environmental and cultural damage a dump at Gregory Canyon would cause.

Looking at only the mundane criterion of long-term utility, the County LEA has a better option.

Gregory Canyon is not the right spot for a landfill. There is no need to destroy the sacred and beautiful place for the sake of out-of-town profits. Waste streams are declining, new technologies are available and beckoning, and existing capacity is more than adequate. There are no overriding considerations that trump the damage that a dump in Gregory Canyon would do. It is still the LEA's responsibility to protect the environment and the people of San Diego County.

Mr. Miller, I urge the LEA to finally do the right thing and deny the solid waste permit for the Gregory Canyon Landfill. Thank you.

MR. DRAKE: I'll have, now, Deputy Mayor Esther Sanchez represented by Pamela Epstein.

MS. EPSTEIN: Epstein.

MR. DRAKE: Epstein. Sorry.

MS. EPSTEIN: Hello. Unfortunately, Deputy Mayor Sanchez is unable to be with us this evening, so I have a letter that I would like to read on her behalf.

Dear Mr. Henderson, I am writing on behalf of the City of Oceanside to request that you deny the proposed solid waste permit application for the Gregory

Canyon Landfill. If approved, the landfill would have an immense effect on the local water supply within the City of Oceanside and would risk the economic vitality of one of the largest cities in the region. As imported water supplies from the Delta and the Colorado River become more and more constrained, local water supplies such as those in Oceanside have become increasingly important.

Over the last 150 years, the City of Oceanside has utilized the San Luis Rey River aquifer as an important component of its own water supply. It supplies 15 percent of the water needed for Oceanside citizens and businesses and represents a significant capital investment by the City. In the last 20 years, the City has spent 23 million in groundwater facilities and plans to invest an additional 150.

Oceanside has grave concerns about the

18 landfill's potential to leak toxic pollutants into these  
19 critical groundwater supplies. The landfill should  
20 never be placed next to an active river tributary or to  
21 an aquifer under any circumstances. If the landfill  
22 permit is approved and the landfill liner leaks, the  
23 resulting contamination will affect the San Luis Rey  
24 River.

25 Losing one of these few basins and San Diego  
0031

1 County's contamination would hurt all of San Diego  
2 County. Oceanside feels strongly that this site is  
3 unsuitable for a landfill. As you may recall, the  
4 County rejected the location because it failed seven out  
5 of the eight criteria.

6 The City of Oceanside requests that you deny  
7 the permit application. And thank you for your  
8 consideration.

9 MR. DRAKE: Thank you.

10 Mel Vernon.

11 MR. VERNON: Mel Vernon, Chairman San Luis Rey  
12 Band of Mission Indians. I'd just like to keep it  
13 short. We'd like to stand up with the Pala tribe and  
14 Pam Slater and the City of Oceanside and Del Mar and the  
15 people that oppose this landfill. I don't know how much  
16 worse it could be for a place to be. You have cultural,  
17 you have water issues, you have environmental issues,  
18 you have every -- I don't know what a poster child looks  
19 like to avoid this site. You know, it's like you have  
20 everything that's opposing it.

21 One of the things, it's not -- like Shasta was  
22 mentioning to me, it's not even about the landfill  
23 anymore. It's about investment and profit. All I can  
24 say is somebody's good business is bad medicine. Thank  
25 you.

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1 MR. PRICE: Good evening, my name is Hershill  
2 Price. I am a board member of the County Water  
3 Authority representing the City of Del Mar. And the  
4 Mayor of Del Mar, Don Mosier, has asked me to read this  
5 letter of opposition to the issuance of a solid waste  
6 facilities permit into the record.

7 On behalf of the City Council of the City of  
8 Del Mar, I wish to express Del Mar's strong opposition  
9 to the issuance of a solid waste facility permit for the  
10 proposed Gregory Canyon Landfill. The issuance of this  
11 facility permit would move the region in the wrong  
12 direction, enabling the furtherance of discarding trash  
13 rather than promoting and moving forward the reduction,  
14 reuse, and recycling of materials.

15 The Gregory Canyon Landfill site is adjacent to  
16 the San Luis Rey River groundwater basin (aquifer) that  
17 contains substantial quantities of renewable, natural,  
18 potable water, and which is also a potential site for  
19 underground storage of imported water, such sites being  
20 perilously deficient in San Diego County. The proposed  
21 landfill is also uphill from the San Luis Rey River, and  
22 when the landfill liner fails, as it surely will over  
23 time, the result will be contamination of the aquifer  
24 and the river.

25 In addition, recognized authorities in the

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1 fields of geology and land contaminants have stated  
2 unequivocally that any device currently available to

contain contaminants in landfill operations will fail, and that such failure will lead to the destruction of underlying groundwater basins as sources of native, potable water and storage basins for imported water. A leak-proof liner has never been accomplished; the degradation of the plastics and the seams making up the liner will be accelerated by the heat from the decomposition of the wastes collected in the landfill. There is also an active earthquake fault, the Elsinore fault -- zone fault, that is capable of a 6.0 to 7.0 magnitude earthquake; yet another reason a landfill destined to leak is in the wrong -- is the wrong use for the canyon.

In addition, if the proposed landfill were to be constructed, the main access road to the facilities area and the proposed waste disposal area would cross the first San Diego Aqueduct. Since the aqueduct was constructed in the 1940s through an area with little or no traffic, it most likely was not designed to handle the enormous volume of heavy truck traffic that would cross the aqueduct for 30 years or more.

We urge alternate locations to be evaluated for the disposal of solid waste generated in north county

San Diego, and that the proposal for a landfill in this location be completely abandoned.

Mayor Don Mosier, Mayor of the City of Del Mar. Thank you.

MR. DRAKE: Do we have any more of the blue or gold speaker forms?

Are there any other elected officials or tribal leaders in the audience who wish to speak?

Yes, ma'am.

MS. PECK: Thank you and good evening. My name is Lavon Peck. I'm chairman of the La Jolla Band of Luiseno Indians. And I would like to request that you do not issue the permit for this project tonight. This is a common sense decision that I think needs to be made. We've been here before. Pam Slater-Price mentioned that because of the recycling, that there really isn't a need for another dump at the last meeting that we were at. A dump by a domestic water resource, you wouldn't see it on the banks of the Colorado River. Cultural issues, you wouldn't see a dump being put by a church or by a cemetery. The impacts that this will do to our environment does not justify the dump.

Our tribe, in the 2007 fires, had to acquire a 4004 permit for us to do any kind of work on the San Luis Rey River. It took us eight months to get that

permit. And that was only trying to clear out the debris that was in the river from the floods that impacted our reservation. And now we're looking at putting a dump by the San Luis Rey River. It makes no sense.

I urge you tonight to please listen to the people that are here that have spoken and that you reject the permit. Thank you.

MR. DRAKE: Are there any other elected officials or tribal leaders?

Okay. We'll turn to organizational representatives. Could we have a representative from the Gregory Canyon Limited, please.

14 MR. JIM SIMMONS: Thank you very much. My name  
15 is Jim Simmons. I live in Escondido. My office is in  
16 San Marcos, California. I am the managing partner of  
17 the landfill company, and I'm here tonight to thank you,  
18 first of all, Mr. Miller, and your staff for all the  
19 effort that you have put in considering this very  
20 important permit. We've provided an awful lot of  
21 information at your request and have given you an awful  
22 lot of work to do. And we appreciate the effort that  
23 you've had to go through to get it done. And I know  
24 this is going to be a difficult decision for you to  
25 make, and I hope that the information that we provided

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1 will help you make a decision that will be in favor of  
2 issuing the permit.

3 We have worked very hard to come up with the  
4 process of putting this together over many years. I've  
5 been working on it now for about a year and a half since  
6 the former manager of the project passed away. And we  
7 have a team put together that I think is highly  
8 professional, very well put together. And we'll give  
9 you a short presentation tonight as to why we think the  
10 landfill should move forward.

11 It's a very important component to the  
12 infrastructure of north county. It's a landfill that is  
13 needed. The studies have been done across the board  
14 that indicate that the capacity is going to be needed in  
15 the future. It does provide a local landfill that  
16 reduces environmental impacts, it reduces trips, it  
17 reduces air pollution, and it gives an opportunity for  
18 an economic benefit to the citizens of San Diego County.

19 It is providing a service that is going to be  
20 needed more and more in the future. Even though  
21 recycling is certainly going to be a component, it is  
22 not going to fulfill all the requirements necessary.  
23 The voters did vote, and over 67 percent of them said it  
24 was something that they thought was necessary. And it's  
25 a process that we're going to pursue to its logical

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1 conclusion.

2 With that, I'd like to, again, thank you for  
3 the effort you've put into this. And here is  
4 Rich Felago who is a member of my management team.  
5 Thank you.

6 MR. FELAGO: Thank you, Jim.

7 Good evening, my name is Richard Felago. As  
8 Jim said, I'm a senior advisor to the Gregory Canyon  
9 Landfill Implementation Team. Just a little bit of  
10 background. I'm an engineer by training. I have a  
11 couple of engineering degrees, bachelor in mechanical  
12 engineering, master's in civil and environmental  
13 engineering. I'm a licensed professional engineer, and  
14 I have been involved in the solid waste management field  
15 for nearly 40 years.

16 Just as a point of interest, I was involved in  
17 the design of the firstline landfill that was ever built  
18 in the United States and, therefore, anywhere in the  
19 world in the middle 1970s in Lycoming County,  
20 Pennsylvania. That was a good design, and landfill  
21 liner systems have only evolved and gotten better as  
22 time has gone along.

23 There is just a few things I'd like to point  
24 out tonight that I think need to be said. The landfill

25 liner that we hear about so much is 8 feet thick. That

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1 is the landfill liner there. That model indicates all  
2 of the layers of the landfill liner. There are actually  
3 five containment layers, including three impermeable  
4 barriers of high density polyethylene that are used in  
5 between the layers of that liner. So everybody gets the  
6 right impression, that height there is almost 8 feet,  
7 and that's what is below the emplacement of the first  
8 pound of refuse on top of it, is under the entire site.

9 The landfill exceeds standards not only for  
10 municipal waste landfills but also for hazardous waste  
11 landfills above the so-called above-the-ground  
12 impoundment facilities. The engineering fact is that  
13 any release from this landfill with this liner design is  
14 virtually impossible. Even so, Gregory Canyon will  
15 employ upgrading and downgrading and monitoring wells to  
16 test the groundwater for not only the life of the  
17 facility, but at least 30 years beyond. We don't  
18 anticipate we'll ever find anything.

19 Even with all this, Gregory Canyon is providing  
20 a \$100 million insurance policy for any environmental  
21 impairment that ever may occur. Frankly, the people in  
22 the project nor the insurers believe that it will ever  
23 be needed. The Gregory Canyon Landfill clearly raises  
24 the bar in environmental protection and environmental  
25 design for landfill liners. To my knowledge, this is

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1 the first liner of this magnitude that's proposed that  
2 will be built. I've seen them proposed, but not  
3 previously constructed.

4 These facts, coupled with, as Jim said and  
5 others will address, the fact that the north county site  
6 will handle largely north county waste and avoid the  
7 greenhouse gas emissions associated with long-haul  
8 transport. That's a significant amount of emissions  
9 over the period of the operation, the 30-year period,  
10 the landfill operation. And it's also the fact that the  
11 landfill will bring in, over its course of its  
12 operation, hundreds of jobs locally, which is -- seems  
13 to be a critical factor today, not only in California  
14 but around the country as well.

15 So with that I'd just like to say that we thank  
16 you very much for your time and your effort in reviewing  
17 the application, and we hope that all of the  
18 information, as Jim said, will help in your decision.  
19 Thank you very much.

20 I'd like to introduce Dr. Bill Magdych, the  
21 project biologist.

22 MR. DRAKE: I'll remind you that you have four  
23 minutes remaining of your time.

24 MR. MAGDYCH: Thank you. My name is  
25 Bill Magdych. I'm a consultant for Gregory Canyon.

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1 I've got over 30 years' experience in environmental  
2 consulting and I've worked through the years on numerous  
3 projects for federal, state, local and tribal  
4 governments, as well as private applicants, and I've  
5 worked on Gregory Canyon for the past eight years.

6 The landfill is designed to be highly  
7 protective of water quality and the environment in  
8 general. It is important to recognize that the landfill  
9 is not located on the banks of the San Luis Rey River.



10 It's actually about a thousand feet -- a little more  
11 than a thousand feet away from the river. Also, it is  
12 not even within the 100- or 500-year flood plains.

13 The landfill design implements features that  
14 will fully protect the river from adverse stormwater  
15 impacts. These features include innovative stormwater  
16 draining facilities that separate the flowage from  
17 inside the landfill from flows that are outside of the  
18 landfill so they don't mix. There is a series of energy  
19 dissipaters, drainage soils, and percolation basins to  
20 prevent unwanted erosion and maintain watershed  
21 functions.

22 Mechanical filtration will be provided to  
23 remove oil from -- running off from paved surfaces, and  
24 biosoils will be provided to provide additional  
25 protection to water quality. Additionally, there will

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1 be litter control fencing on the bridge crossing the  
2 river to prevent trash from getting into the river.

3 These features meet most up-to-date standards  
4 for stormwater quality and the protection of water  
5 quality. Also, the hydrology and stormwater treatment  
6 systems for the landfill have been independently  
7 reviewed -- peer reviewed on behalf of the County, and  
8 that report found that the designs were sound and that  
9 they meet all required standards.

10 The beneficial uses and functions of the  
11 San Luis Rey River and its riparian corridor will be  
12 enhanced, and support functions from the local watershed  
13 will be maintained by the project. Gregory Canyon  
14 serves as a model for sound environmental development  
15 and effective waste management. Thanks.

16 MR. DRAKE: You have two minutes remaining,  
17 sir.

18 MR. HUTTON: Good evening, my name is  
19 Bill Hutton. I'm with the council for Gregory Canyon  
20 Limited. The focus of tonight's meeting is on the  
21 issuance of the solid waste facility permit, but one of  
22 the key determinations by DEH is whether the landfill  
23 can be built and operated consistent with the state  
24 minimum standards set forth in the Public Resources Code  
25 and its regulations.

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1 DEH engaged a third-party engineering  
2 consultant to review the entire permit application. The  
3 reviewer makes 35 separate findings documenting that  
4 engineering and design assumptions and approaches for  
5 every key aspect of the landfill project were  
6 reasonable, consistent with industry practice, and in  
7 compliance with regulatory requirements. The areas  
8 reviewed were operations, design and construction, water  
9 resources, drainage control, and landfill gas control.  
10 I'd like to go through a few of the major findings.  
11 They're important and fundamental to this decision.

12 The landfill liner exceeds state and federal  
13 regulatory standards. The methods for achieving seismic  
14 stability are current and reasonable. Leachate  
15 generation estimates are reasonable. The groundwater  
16 monitoring program is robust. The post closure  
17 maintenance plan techniques and procedures are typical  
18 and have been used successfully. The corrective action  
19 plan uses groundwater treatment technologies applicable  
20 to the contaminants of concern. The corrective action

21 and closure cost estimates are reasonable, and the  
22 design of the drainage control system is based on  
23 appropriate hydrologic analysis and runoff values. The  
24 design of all stormwater facilities are adequately sized  
25 and comply with regulatory requirements.

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1 The bottom line, you have a solid package that  
2 gives you assurance that the standards can be met.  
3 Thank you.

4 MR. DRAKE: Thank you.

5 I'd like to invite Pamela Epstein from the  
6 Sierra Club San Diego.

7 MS. EPSTEIN: Thank you.

8 MR. DRAKE: And as a group, I'll remind you  
9 with three speakers, you have a limit of 10 minutes.

10 MS. EPSTEIN: Sorry. I'm messing up people's  
11 microphones.

12 Hello and good evening. I'd like to thank you  
13 for this opportunity to provide informational comment.  
14 Again, this is a contentious project that's been going  
15 on for two decades. I'd like to address a few points  
16 that were raised by the previous speakers. As we've  
17 heard articulated several times over this evening and  
18 for the last two -- or 20 years, this project proposes a  
19 direct threat to the region's finite water supply.  
20 Whereas, I do appreciate the presentation and the visual  
21 aids -- you're welcome -- the need for water is  
22 indefinite. It doesn't go for the 30 years after the  
23 life of the project. And whereas I appreciate an  
24 insurance policy, one that will not replace drinking  
25 water -- money cannot be drunk. I think that's an

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1 important point that we should raise. And once again,  
2 once this aquifer is contaminated -- and we should  
3 remember it is on fractured bedrock, which makes a  
4 liner difficult to protect. And once it is  
5 contaminated, it is permanently lost. And, again,  
6 whereas I appreciate that this is a new -- relatively  
7 new one-of-a-kind technology that should be better, it  
8 does not guarantee that it will be better. And in fact,  
9 if it is new, there is nothing to compare it to and no  
10 way of knowing the unknown issues that could be  
11 presented.

12 So I want to state, once again for the record,  
13 all landfill liners leak. Every liner to date has had a  
14 problem. And it is not a question of if, but a question  
15 of when. And we are talking about finite water supply.  
16 Do we want to gamble with something that we cannot  
17 replace? Especially when it's not a gamble, but it is a  
18 guarantee.

19 I'm going to pass the microphone off, now, to  
20 two of our legal interns to address the rest of the  
21 environmental impacts that are associated with this  
22 project.

23 MS. TANNER: My name is Kate Tanner. I'm one  
24 of the legal interns for the Sierra Club this year.  
25 We've heard many times over tonight that the Gregory

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1 Canyon Landfill project fails seven out of the eight  
2 necessary requirements for siting a landfill. The first  
3 requirement considers groundwater and aquifers. The  
4 Gregory Landfill proposed site actually overlies a  
5 significant groundwater basin, which is the sole source

of water to the Pala Indian Reservation, in addition to the San Luis Rey Municipal Water Districts.

Second, the surface waters construction -- the construction of the Gregory Landfill would impact at least two blue line streams causing the loss of a tributary to the San Luis Rey River and place the San Luis Rey River at risk of impact from landslides, leachate spills from trucks, contaminant storm runoff, and leaking liners.

Third, for the flood plains. The landfill site itself actually sits on a -- located partly on a flood plain.

Fourth, the seismic stability. It is six miles away from the Lake Eleanor [sic] earthquake fault. The limit for a landfill site to be built and actually not allowed to be built is five miles. I highly doubt that that one extra mile is going to guarantee that the landfill will not be seriously impacted in the case of an earthquake.

Fifth, the biological resources. As was said

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many times tonight, there are at least three endangered species on the site. These are the critical habitats for the Bell's Vireo, the arroyo toad, the southwest willow flycatcher, and the California gnatcatcher. And all of these are also listed on the federal endangered species list.

Sixth, the cultural resources. We've heard from many of the esteemed tribal leaders of the Pala Indian tribes and several other tribal leaders from around the county. It is within a thousand feet of a sacred archeological site.

Seventh, the land use. As listed under the California Resource Code, it is actually an incompatible land use.

And seventh [sic], the health and safety of the area itself. These -- the proposed site for the Gregory Canyon Landfill sits within 200 feet of two aqueducts.

Why are we building another landfill when we already have several landfills that are not at capacity and have well over six to over a hundred years' worth of capacity left to use for solid waste?

The Sierra Club proposes that we, as San Diego, as a county, as a city, move towards a zero waste policy. This policy creates a sustainable San Diego. And as part of this zero waste policy, we can include

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bans on organic, electronic, and recyclable materials from landfills to further reduce our use of these landfills and the solid waste. So in furtherance, we would like to propose that San Diego move towards a zero waste policy so that we will reduce our dependence on these very important landfill sites. Thank you.

MR. SOBEL: Hello, my name is Grayson Sobel, and I'm also a legal intern at the Sierra Club. To continue from my colleague, it is kindly requested that the solid waste facilities permit for the operation of the Gregory Canyon Landfill be denied. Serious unanswered questions related to the water quality impacts associated with this proposal persist, and these concerns must be answered before any approval are moved forward.

Point one. As of date, numerous endangered

species, including the Golden Eagle, have been documented to depend on the critical habitat surrounding and within the Gregory Canyon environment. Also to date, no affirmative documentation has been provided to say this fragile ecosystem, which so many endangered species depend on, will be unaffected by the proposed landfill along the San Luis Rey River. Until such information comes to light, no further action or development should occur, especially a permit.

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Point two. Critically, the stormwater question has not been satisfactorily resolved or brought up to acceptable levels. For one, there has been no update on the issue of untreated stormwater. While the proposal does include basins to block sediment passage, there is no discussion of treating stormwater which has had any contact with waste. This issue becomes even more important considering how paramount the river is to municipal drinking water for Vista and Escondido and how many thousands of residents depend on the river and the aquifer for potable water, such as Oceanside.

Second, in dealing with the stormwater being treated from sediment contamination, the described basin levels only meet 10-year, six-hour storm event conditions, and not the requisite 100-year, 24-hour conditions under California law.

Finally, information provided through the proposal says that the stormwater would effectively be prevented from entering the San Luis Rey River through such infiltration channels. The question is, however, no information is given to support how -- with runoff figures, how such infiltration systems are designed not to breach under normal water flow conditions, let alone in high storm level water levels.

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For the aforesaid points, the LEA should not allow such permit to go through. Thank you.

MR. DRAKE: Could I now have Sheila Manning from the group River Watch.

Just the two of you?

MS. MANNING: Well, there are quite a number of others, but they're going to speak as individuals. So the two of us will speak.

MR. DRAKE: You will have three minutes each, please.

MS. MANNING: Thank you.

Good evening. I'm not here as a salesperson to try to tell you wonderful things, and I probably will be repeating what you've already heard, but it has to be repeated. And we've been talking about it for about 20 years.

Almost 20 years ago, the Gregory Canyon site was found unsuitable for a landfill by the County of San Diego. It should have stopped there, but a different route was taken by the proponents, and the process continued to move forward without regard of warnings from the previous reviews.

That was the past. We should learn from our past. It is crystal clear this site has not changed, regardless of how many times the proponents want to tell you that this is the perfect location for a landfill.

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Gregory Canyon is still unsuitable for a landfill.

Today the record shows there is no need for this dump. Conditions in the county have changed dramatically. With new technology, such as waste-to-energy conversion and transfer stations, burying trash in the ground is an obsolete technology. Future development along Highway 76 will bring dramatic changes, and the need for water is changing as we speak here at this moment.

Over the years, it has become clear to all of us, if this permit is issued by the LEA, the LEA will be in violation of its duty to protect our water from the San Luis Rey River and the pipelines that deliver water to us from the north. Furthermore, this dump site is in a high hazard fire area. Where is the water to fight a fire that will be ignited by the methane gas that's created by its mountains of garbage? And what about access? With safety always an issue, there is only one way in and one way out, a single bridge crossing the San Luis Rey River. Where will the second access be located?

Outdated technologies are being relied upon for stormwater management. Over the years we have witnessed the power of the San Luis Rey River during times of heavy rainfall. We've all seen a hodgepodge of fixes thrown at us by the proponents of this dump. The time

is here and now for the County to accept its responsibilities and deny this permit.

You cannot trust a plastic bag, some sand, and a handshake to keep toxic waste from destroying the waters of the San Luis Rey River for hundreds of years. Our ecology is fragile. Once the endangered species are gone, we can't bring them back. Once you destroy the canyon, you cannot bring it back. Once the water is unfit to drink, what then? Remember, you never place the outhouse next to the well.

Mr. Miller, the membership of River Watch sincerely requests you deny this permit. Thank you very much.

MR. DRAKE: Ma'am, you will also have three minutes, please.

MS. HARBER: Does this have to be here?

MR. DRAKE: Scott, could you help her out there, please.

MS. HARBER: Well, it's not very solid.

To add to what -- my name is Ruth Harber. I'm also a River Watch board of directors.

To add to what Mrs. Manning said, even my dog knows not to pooh where he sleeps or where he drinks. Now, I wonder if this is an exercise in futility and that your department might have already decided to issue

the solid waste permit to Gregory Canyon, whose goal is solely to destroy the canyon, the environment, and make money.

Will you, as your predecessor, Gary Erbeck, invoke overriding considerations -- and tell us what they are -- that there is a need for a dump in north county? I'll tell you, it's bunk. That the developers are in a bind because the investors are breathing down their necks for nearly 20 years of investments that have not produced one cent of revenue. I would be upset, too, if I were an investor. What exactly are the overriding consideration? What were they when

13 Gary Erbeck, your previous director, invoked them?  
 14 I have an article here from the North County  
 15 Times, and it's called, "Seeking water, water  
 16 everywhere." Some of you may have seen it. It's dated  
 17 the 6th of February. I'll be happy to pass it on to  
 18 you.

19 Maybe you know, maybe you don't care, that  
 20 there is a crisis with water in Southern California.  
 21 But we're not going to let these people destroy our  
 22 water supply. I have here, and I've done this before,  
 23 one of these newfangled light bulbs Congress has ordered  
 24 us to use. Did you know they're full of mercury? Did  
 25 you know that mercury will poison water? Even though

0053

1 the directives are for us to deposit these in the  
 2 hardware store in the proper bin, you know very well  
 3 that the public at large will just throw them in the  
 4 trash. And when a big truck drives over it, the darn  
 5 thing will leak mercury. Eventually -- I don't care how  
 6 many layers of liner there are, but eventually this  
 7 mercury will find its way to the waters of the San Luis  
 8 Rey from which thousands of people obtain their drinking  
 9 water.

10 Now, I have another question. The  
 11 department -- and this one I have to read. The  
 12 Department of Environmental Health is a county agency.  
 13 It's in charge. But the lead agency is a state agency;  
 14 correct? So why, according to the lengthy questions and  
 15 answers report that you published yesterday, I think,  
 16 why does the LEA work with county counsel? Shouldn't it  
 17 be a state counsel? And who pays for counsel's time?  
 18 The people of San Diego. Something is just not right  
 19 here.

20 MR. DRAKE: Thank you, ma'am. Could you go  
 21 ahead and please conclude.

22 MS. HARBER: My time is over.

23 MR. DRAKE: Yes, please.

24 MS. HARBER: And I thank you. I have more, but  
 25 you'll be hearing from me.

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1 MR. DRAKE: Okay. Do we have any other  
 2 organizations or representatives from groups or  
 3 recognized organizations, please?

4 Mr. Price, I believe you already spoke. You  
 5 filled out one of these? You've had your turn. Okay.

6 All right. If I could now please have -- and  
 7 again, we'll be limited to three minutes each, please.  
 8 I'll hold up a sign when you have 20 seconds remaining.  
 9 Please conclude your statements, summarize as quickly as  
 10 you can. When your time is up, I'll hold up one more  
 11 sign that says, "Thank you. Next speaker, please."

12 If I could have number 2 through 6, please,  
 13 Helene Brazier. Helene -- I'm sorry. I'm butchering  
 14 that name.

15 MS. BRAZIER: Brazier.

16 MR. DRAKE: Brazier. Thank you.

17 marty Hanson -- Mary Hanson, Gerald Walson, J.P. Embry,  
 18 please.

19 And Helene, if you would, please.

20 MS. BRAZIER: Thank you. Can you hear me? My  
 21 name is Helene Brazier. I'm a long-time resident of  
 22 Bonsall. I'm not a scientist or a powerful person. I'm  
 23 an ordinary citizen of this part of the county. I

24 represent the views of many of my friends and neighbors.  
25 The owners of Gregory Canyon could not have

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1 selected a worse site for this dump. The virtually -- I  
2 love that word -- virtually unbreakable and virtually on  
3 the banks of the San Luis Rey River. All of the living  
4 things in this part of the San Luis Rey Valley are  
5 endangered by this ill-conceived project.

6 All landfill liners leak in time. This one  
7 will be no exception. In time there will be a leachate  
8 which will be a toxic soup flowing into our water.  
9 Sixty-five hours a week, more than one vehicle a minute,  
10 will spew noxious poisonous gases into our air. Our  
11 health will be endangered.

12 We have absolutely no right to destroy the  
13 cultural heritage of people whose ancestors were here  
14 before the pilgrims landed at Plymouth Rock. And I  
15 haven't noticed any applications for landfills at  
16 Plymouth Rock area. Recycling is increasing all the  
17 time and will continue to do so as we educate the next  
18 generation on the need to waste less and buy more  
19 wisely.

20 Please reject the permit application for this  
21 dump. It would bring money for its owners for a few  
22 decades, but its tragic legacy will be forever. Thank  
23 you.

24 MS. HANSON: Thank you.

25 My name is Mary Hanson and I'm here on behalf

0056

1 of the League of Women Voters of San Diego County. I'm  
2 representing our membership throughout the county as its  
3 natural resources director. I very much appreciate this  
4 opportunity to share the statement we've submitted  
5 already to Mr. Henderson.

6 The League of Women Voters of San Diego County  
7 urges the LEA to deny the solid waste facility permit  
8 that would allow operation of the Gregory Canyon  
9 Landfill. Our concerns are based on league positions  
10 regarding waste management and water quality that we've  
11 developed over many years of members' study and  
12 consensus. The need for this landfill has diminished as  
13 recycling rates have increased. The league supports  
14 public policies that will reduce the generation and  
15 promote the reuse and recycling of solid and hazardous  
16 waste, thereby reducing the need for additional  
17 landfills.

18 However, as we stated in 2009, our primary  
19 concern with the siting of the Gregory Canyon Landfill  
20 is with water quality. The league has developed strong  
21 positions on protection and enhancement of water  
22 quality, and we believe that it's imperative that we  
23 protect the natural environment in areas of both water  
24 origin and water use.

25 We oppose issuing the permit for the landfill

0057

1 because current plans fail to adequately protect surface  
2 water, groundwater, and drinking water. Even with the  
3 lining, the siting of this landfill on porous rock over  
4 a valuable aquifer has potential to leach harmful  
5 toxins, hazardous materials, and contaminants into the  
6 San Luis Rey River. We believe that there is no urgency  
7 in opening the landfill and that its location over an  
8 aquifer and next to a river threaten precious and

limited sources of quality fresh water.

Therefore, the League of Women Voters asks the County Local Enforcement Agent not to proceed with the solid waste facility permit for the Gregory Canyon Landfill. Thank you.

MR. WALSON: Hi, I'm Gerald Walson. I live in Bonsall.

Well, most everyone agrees the dump will fail. The only debatable issue is when and its severity. It's inconceivable that a permit would be granted to Gregory Canyon without analyzing the impact and ramifications of a spill contaminating the San Luis Rey basin aquifer. This question has been asked numerous times and has never been answered. If the aquifer is contaminated, how will the extent of the spill be determined? And how will it be cleaned? And at what cost? And who is going to pay when Gregory Canyon files for bankruptcy?

A bad contamination will cost billions, and the cleanup will take decades, if not centuries. And it appears that no one has a clue as to how to address this issue. I think DEH needs to address these issues before considering the permit. Thank you.

MR. EMBRY: Good evening, my name is Pat Embry. I live on Couser Canyon in Valley Center. And, Pam, I'm sorry, but you stole my thunder with your opening remarks of how many familiar faces we've seen here and how many times we've seen them before. I guess I'm limited to quoting the great Yogi Berra, "It looks like dTja vu all over again."

Ladies and gentlemen, at what point do we say enough is enough? For 20 years this unneeded and dangerous project has been put forward, and for 20 years it's been rejected. Since the beginning, it's been rejected by every review board that had been in contact with it. The only argument the proponents can come up with is a passage of a proposition that they say shows the general public is behind it, but that cited proposition only authorized the review of this project, not the implementation of it.

How often has the word exigency come up in these arguments? Now, gentlemen, an exigency does not exist for 20 years. If it is really an exigency to bend

the rules and get around it, it should have resolved itself by now. To preface my last remarks, I'd like to cite this week's Time Magazine where it states, "World War III is going to be fought over water, not oil, not land masses."

And the permit application, the forcing of conserving water is particularly disturbing. I have a 5-acre avocado grove. I've had to cut my water supply by 30 percent. As a result, I had to eliminate one-third of my trees in order to make my other trees -- I'll wrap it up right now -- in order to make my other trees viable. That means I'm producing one-third less food.

The only thing I can say, if you're going to okay this dump, the next time you're hungry, eat some garbage.

MR. DRAKE: Damon Nagami, if you would, please. Could I have, also, Matt Simmons, Johnny Puppas, Don -- what is it? -- Rodee from Oceanside. R-o-d-f -- e-e, it



20 could be. Okay. Rodee. Thank you. And Jason Simmons,  
21 please. Okay.

22 MR. NAGAMI: Great. Thank you.  
23 Damon Nagami, staff attorney with the Natural  
24 Resources Defense Council. I'm here today on behalf of  
25 our thousands of members and activists in San Diego

0060

1 County, hundreds of whom have e-mailed you with their  
2 concerns and some of whom are here today.  
3 First, I just wanted to recognize and thank  
4 everyone who came out here and took time away from their  
5 families to be here on a Wednesday night to show your  
6 concern over this project. Can everyone who is here to  
7 tell the LEA that you're against this project please  
8 stand up just really quickly. I want to see some  
9 audience participation. You can clearly see that this  
10 is an issue that people really feel strongly about.

11 Now, this is simply the wrong place for a  
12 landfill. Others tonight have talked about the  
13 project's location on the banks of the San Luis Rey  
14 River or a thousand feet from it or next to lands held  
15 sacred by the Luiseno people. We agree on all these  
16 points and have communicated them to you and to other  
17 agencies over and over again.

18 What I want to focus on tonight is your  
19 agency's role in all of this. You are the county  
20 department of health. You are charged with protecting  
21 the health of the county's residents. Your website says  
22 that your role is to ensure the public is protected from  
23 public health and environmental threats. There is no  
24 bigger public health and environmental threat than this  
25 project.

0061

1 I also want to remind you of your charge under  
2 Public Resources Code Section 44012, which states that:  
3 When issuing any solid waste facilities permit, the  
4 enforcement agency shall ensure that primary  
5 consideration is given to protecting public health and  
6 safety and preventing environmental damage, and that the  
7 long-term protection of the environment is the guiding  
8 criteria.

9 This project jeopardizes public health and  
10 safety. This project will create irreversible  
11 environmental damage. And in the long term, 30 million  
12 tons of garbage would threaten the river, the region,  
13 and the downstream residents forever. I would urge you  
14 to keep all of these things in mind during your  
15 deliberations.

16 I think I can speak for most of us here tonight  
17 and say that your agency made a mistake approving this  
18 permit the first time around. You now have a second  
19 chance to do the right thing. Please reject this permit  
20 application and put this matter to rest once and for  
21 all. Thank you.

22 MR. DRAKE: All right. Let me say one thing.  
23 This is a public meeting to gather input. We'd like to  
24 refrain from any demonstrations. Just maintain order  
25 and decorum if we could, please.

0062

1 MR. MATT SIMMONS: Good evening, my name is  
2 Matt Simmons, and I'm a lifelong resident of north  
3 county, more particularly the City of San Marcos. I do  
4 work for the project. I'm very familiar with it. But I

would like to communicate a couple of things that I think are important about the project.

Tonight I've heard several times about the environmental impact to particular species on site. And I think it's important and it was noted by Mr. Miller and his staff that the footprint of the landfill is only 308 acres out of a total 1770 acres out there on site. The majority of the left-over land, over 1300 acres, is being preserved and restored in perpetuity. Without this project moving forward, that preservation does not take place. Most likely what would happen is the land gets developed as something else.

It was previously used as a farming facility, which is not the most environmentally friendly group out there. The dairy farms had a significant impact to the land, including nonnative species coming in due to that operation. The implementation of this landfill will help to restore that quality of land back out there and help preserve the same environment that we're talking about to allow the species to thrive and grow forward as time goes on. And that's all I'd like to point out at

0063

this point. Thank you very much.

MR. DRAKE: Thank you.

MR. PUPPAS: Good evening, my name is Johnny Pappas. I'm with Surf Rider Foundation on the advisory committee of the San Diego chapter. I've been told I'm a pretty funny guy, but I'm not going to say anything as laughable as what the proponents for this project have said here tonight. What I'm hearing just blows my mind.

I've been at a number of these hearings throughout the county from Imperial Beach to Oceanside. It's what I do. We deal with developers, engineers, and safety experts. In the past I've been told that a toll road through a state park will improve water quality. That was a bad idea. This is another bad idea. This is a ridiculous place to put a landfill.

It's located partly in a flood plain six miles from the Lake Elsinore earthquake fault, as you've heard. Use was found incompatible. Three endangered species on the site. It's next to a sacred site. It overlies a significant groundwater basin. It's the sole source of water for the Pala Indian Reservation and the San Luis Rey River Municipal Water District, as well as many other water users.

Nevertheless, in 1994, the proponents of this project funded Proposition C, as we've been told, and

0064

through a campaign of subterfuge they had this initiative passed and marched on in pursuit of a project that's no longer needed and too dangerous. Increased recycling over the years and expansion of existing facilities has dictated that this landfill is no longer needed.

The proposed landfill will be located on top of a fractured bedrock aquifer and a geologically unstable site that would affect surface waters in aquifers as well as the aqueduct in case of a rupture of the landfill. That would be obliterated by an earthquake very much the way that a surfer is obliterated by a wave.

The operation of the landfill itself could adversely affect all downstream users because of

16 landslides, leachate spills from trucks, and uncaptured  
17 runoff. Surf Rider Foundation San Diego Chapter opposes  
18 Gregory Canyon Landfill because of the danger to  
19 valuable resources counted upon by countless citizens of  
20 San Diego County.

21 In looking at every source of drinking water as  
22 part of a water portfolio in this era of drought, it's  
23 important that we protect our water resources, protect  
24 those downstream, and lessen the impacts of our ocean.  
25 Thank you so much for your time. You should reject this

0065

1 permit. Thank you.

2 MR. RODEE: Good evening. I'm Don Rodee,  
3 resident of Oceanside. I might want to point out that  
4 20 years ago, I was involved with a project in Oceanside  
5 when I was a city council member. I was a representative  
6 to the Oceanside water commission. That was the time  
7 that we proposed and carried through with a reverse  
8 osmosis process that gave the City of Oceanside a 30-day  
9 supply of water in the event of a total interruption of  
10 water. At that point we only had a three-day water  
11 supply.

12 So when you talk about this aquifer, it is so  
13 important to the City of Oceanside, not just for the  
14 investment the previous speakers have talked about, but  
15 for the survival of the people. A water supply -- we  
16 live in a desert, and you have to have water to live.

17 I'd like to point out another thing about the  
18 applicant's process. I've watched this for the last 20  
19 years, and people from my preceding organizational  
20 group, known as Agripost, have seen aquifers damaged  
21 through leaking liners that always leak. They have  
22 always leaked, and they have to be repaired. They have  
23 to be dug up and repaired.

24 San Diego is a unique area. There is a lot of  
25 fault zones associated with the San Andreas fault that

0066

1 is close by and goes through Banning Pass. And as the  
2 previous speaker mentioned, this column here would be  
3 virtually destroyed. And let me give you an example.

4 When Northridge had their earthquake, they were  
5 able to measure these seizing of -- or the surging of  
6 the land up 11 -- up 12 feet and subsided 11 feet for a  
7 net gain of 1 foot. They didn't know that before the  
8 Northridge earthquake that that's how much earthquakes  
9 move the land. So this column here would be completely  
10 destroyed.

11 One other thing I think you people, everybody  
12 needs to know, there is a little secret in the industry.  
13 For every dollar that is invested in liners, they reap  
14 \$9 in return. Nobody has a reward like that.

15 The last thing I would mention that I  
16 previously alluded to, my company Agripost has a process  
17 of composting and recycling of municipal solid waste  
18 that would eliminate 95 percent of the flow from  
19 residential use. There is no reason for landfills like  
20 this. This is the age of the horse and buggy. We're  
21 now in the days of electric cars and jet airplanes.  
22 Thank you.

23 MR. DRAKE: Pardon me. My apologies for  
24 mispronouncing your name.

25 MR. JASON SIMMONS: Thank you.

0067

1 My name is Jason Simmons. I also work with the  
2 project and I have been developing properties here in  
3 north county for over a decade. And often what happens  
4 in this process of developing a property or putting a  
5 project together, there is a misrepresentation of facts  
6 that happens. And I urge you to look at the facts.  
7 You've got thousands of pages of information. I want to  
8 point a couple things out tonight.

9 All landfills leak was something that was said.  
10 It's just not true. It's also said that seven of the  
11 eight qualifications were not met. That is also not now  
12 true. It's also said that the 20 years that it's taken  
13 so far is evidence of why it shouldn't be built. Well,  
14 that's also not true, because it takes 19 years, on  
15 average, to site a landfill in California.

16 So I urge you to look at all the facts and  
17 understand all those before you make your decision. I'd  
18 also like to point out that, yes, most of the public  
19 agrees that the liner will fail, but that's not what the  
20 science says and the engineering, et cetera. So I urge  
21 you to take a close look at that and understand that and  
22 to make the right decision here. Thank you.

23 MR. DRAKE: Thank you.

24 Could I have Fritz Stumpges, Joy Williams,  
25 Laura Hunter, and Rose Bolton, please.

0068

1 MR. STUMPGES: Good evening. I'm Fritz  
2 Stumpges from Pauma Valley. And I don't want to address  
3 any of the facts because I think everything is obviously  
4 mitigable by bureaucracies. And I would like to just  
5 ask you all to go out to Gregory Canyon and go out and  
6 look, just stand out there and feel what it is you are  
7 jeopardizing. Look across the canyon and see what the  
8 white man is putting right across the way, a new power  
9 plant with the two stacks just clearing the mountain  
10 down into the Indian community.

11 I'd like you to think about what you're going  
12 to put, a dump, right on their sacred mountain. Feel  
13 it. Sit there. You'll find an eagle floating by. It's  
14 happened. I've been there. You will -- if you listen,  
15 you'll feel the spirits. That's the only thing I think  
16 could change your hearts. You're not going to go by  
17 facts. You believe that these things -- like this guy  
18 said, it's not going to leak. Look at Camp Pendleton.  
19 They're dealing with these same promises from these same  
20 liner people. It leaks and it will leak, and this water  
21 that we all depend on is going to be gone.

22 Now, I want you to -- anyway. If you just sit  
23 there for a half hour and be quiet, you will -- the  
24 spirit of the sound will speak to you and -- anyway.  
25 There is no facts for it. There was something else.

0069

1 But anyway, you know, BP and all these  
2 salespeople, they're going to sell you on this thing.  
3 Where is the rubber? I'm an engineer. You know,  
4 polyethylene, big deal. I mean, I barely use it in my  
5 trash bag. I have a 40-year roof on my house. Torch  
6 Down, the best there was. Two years, it was leaking.  
7 All the seams. Oh, you know, that's not covered.

8 Anyway, facts are not going to settle this. I  
9 think you need to feel what's going to happen now on the  
10 other side to the Indian place, the noise, the trashing  
11 of a sacred site, the smells, the air. You're going to

ruin the air. You're going to ruin the water. And I just think that's -- you know, not that it's the Indians. They've been trusted with this land for tens of thousands of years and cared for it, you know. Thank you.

MS. WILLIAMS: Good evening. I'm Joy Williams with Environmental Health Coalition. EHC is a community-based environmental justice organization. We work to empower people, organize communities, and achieve justice. We understand that a permit application has been filed and that the LEA must respond to it. But we add our voices to all the others here in stating that no permit conditions can adequately mitigate the environmental justice and water impacts of

the proposed dump, and we urge you to reject the permit. Environmental justice isn't a peripheral issue in this permitting process. Cal EPA and its boards and departments are committed to environmental justice in all of their regulatory actions, including the issuing of permits, according to its interagency environmental justice strategy. As the Local Enforcement Agency for CalRecycle for solid waste permitting, the LEA must integrate environmental justice into this permit decision. In particular, you must address disproportionate impacts on tribes and identify precautionary approaches.

Now, precautionary approaches to solid waste management could include zero waste; it does not include putting a dump on top of a river, even if you've got a good liner. You can put a dump somewhere else or you can figure out ways to generate less waste, and that would be precautionary.

The proposal of this project is part of a disturbing trend that we see throughout San Diego. In the seven existing or proposed landfills in the county, five, including this one, are located in areas where poverty levels exceed the national average. And six of seven, including this one, are in ZIP codes where the average percent of white -- average percent of whites is

lower than the county average.

This landfill project will place inequitable burdens on people of color and low income people.

EHC strongly believes that no permit conditions can mitigate the environmental injustice of this project in this current location, and that rejection of the permit is the only way to achieve environmental justice as intended by CAL EPA.

My colleague Laura Hunter will now address the water quality impacts of the dump. Thank you.

MS. HUNTER: Good evening, my name is Laura Hunter. And again, I'm from the Environmental Health Coalition, a binational environmental justice organization.

And Mr. Miller, you have a very heavy burden. You have an important decision to make here. And I think what I would ask you is just to think about, to be guided by a value. And that value is given the situation that we face now, we -- all the decisions we make should make the future better and not worse. And so if we just focus on decisions that actually improve the future, improve the prospects for many of our

23 beautiful young people that are here tonight engaging in  
24 their future, then we will have done a good thing.

25 This project makes things worse on multiple

0072

1 fronts that you hear over and over and over. That's  
2 really just undeniable. It is imperative that this is  
3 not a decision that you're making today or tomorrow or  
4 next week or for 10 years from now or even 2040 when the  
5 landfill closes. This is the decision that is going to  
6 go on for generations. And I think that should -- I  
7 hope that is in the front of your mind, because that is  
8 the reality of it.

9 A dump is forever or just about forever. And  
10 landfill liners leak. And I'm sorry. This is not just  
11 what some guy said off the street. This is the  
12 Environmental Protection Agency. The EPA has told us  
13 all landfill liners leak. Maybe this one will last, you  
14 know, 20 minutes or, you know, 20 days or 20 months  
15 longer than most, but ultimately at the end of the day,  
16 it's going to leak, it's going to contaminate water  
17 quality, and that is a very, very significant concern.

18 The other issue, I'm a little concerned --  
19 we're very concerned about the impacts to water quality  
20 for all the many reasons that you heard. But that one  
21 slide that was put up, "Well, you know, we're only one  
22 little decision, and then there is all these other  
23 permits that everyone is going to get." And then that  
24 agency, "Well, we're just one little permit." At some  
25 point someone has got to look at the totality of it.

0073

1 And for better, for worse, that's you. Because without  
2 a landfill permit, without a permit to dump, there is no  
3 dump. And without the landfill in this location, there  
4 is not the water quality contamination. Without the  
5 water quality contamination, we don't have destroyed  
6 drinking water sources for years to come.

7 So it really isn't -- would not be appropriate  
8 to say, "Well, I'm going to deal with the solid waste  
9 issues and I'll let some other agency deal with the  
10 water." It all starts here. And again, we would ask  
11 you to deny the permit.

12 Another way this project makes the future worse  
13 is it forecloses the ability to recover the California  
14 Steelhead. That may not be important to everybody, but  
15 that's important to a lot of people. And it's a way  
16 that the future could be better, but it will be worse if  
17 this goes forward. It will worsen the condition of the  
18 river that's already on the edge. It's already on the  
19 303(d) list. We shouldn't be doing anything that  
20 worsens the condition of that property -- of that river.

21 Climate change -- just let me state two more  
22 things. Climate change is happening. We're going to  
23 live in a carbon constrained world. We don't know a  
24 hundred percent what that means. That could mean  
25 flooding. That -- you know, rivers are wild. They

0074

1 change course. They move around, and flooding could get  
2 worse. And the hydrology that we plan today or 20 years  
3 ago when this EIR was written could be very different  
4 than the hydrology tomorrow. Again, there is too much  
5 that's not known.

6 This project is unnecessary. It's ill advised.  
7 It's not the gift we want to give to future generations.

We ask you respectfully to please deny the permit.  
Thank you.

MS. BOLTON: Hi, my name is Rose Bolton, and I'm a resident of Fallbrook.

I just want to say something very simple. Putting the landfill adjacent to the San Luis Rey River is ludicrous. We are told that the liner is not going to leak. How many times has the public been told the same story only to find out later that those state-of-the-art liners have failed. Water is the world's most important resource. All life depends upon it. Who in their right mind would even think about taking a chance on polluting such an essential element in our lives and the lives of generations to come?

The operation of the landfill will continue for 30 years, but what happens after that? Who will be responsible if there is a leakage after the landfill is no longer in operation and our water is polluted? The

landfill investors would have made their money and moved on. We all know that waste management is big business and there is lots of money to be made, but at what cost to human lives? As long as the landfill is profitable, why should the investors care? They won't be affected. They don't live here.

Please do the right thing and deny the solid waste facility permit to protect and preserve a major drinking water resource in our area. Thank you.

MR. DRAKE: Could I have number 15, Kim Yearyean, from Pauma Valley; Larry Purcell, San Diego; Walter, Del Mar; and number 18, Kathleen Patton, please.

MS. YEARYEAN: Hi, my name is Kim Yearyean. I'm here both as a resident and an advocate for Native American tribes. I've worked with these tribes for over 26 years now.

I'm in opposition of this proposal, and I could go on reiterating everything that has been said tonight, and I'm not going to do that because you already have heard everything about the water pollution and all of that. But what I want to speak to specifically is Gregory Mountain and its being known as a sacred site to the Luiseno people.

Building a landfill next to a sacred site is

devastating. The damage is irreparable. Tribes have over and over again been placed in the position to have to give up. We're always giving up. We give up our land to provide for other people to have places to live. We're always giving up. We've seized acres and acres and acres, millions of acres over the years to provide. Your regulations provide for the ability to protect our sacred sites. It's within your CEQA requirements to mitigate the impacts to sacred sites and to protect sacred sites.

I've seen that your EIR, the EIR that has been done, addresses traffic, water, and biology. What those fail to also address are the cultural resources. You must address the cultural resource preservation for these Luiseno people in this area.

The proponents of this project also made a statement about jobs and needing jobs. Yes, we need jobs. Everybody knows we need jobs, but at what cost?

19 You can list all the endangered species that are on the  
20 federal endangered species list, but the true endangered  
21 species that fails to be on the list are Native  
22 Americans and our sacred sites.

23 If this dump were permitted, it would operate  
24 for its term and the operators would go away, but the  
25 Luiseno people will still be here. Thank you.

0077

1 MR. DRAKE: Thank you.

2 MR. PURCELL: Thank you. My name is Larry  
3 Purcell. I'm here representing the San Diego County  
4 Water Authority.

5 The water authority has several concerns  
6 related to the Gregory Canyon Landfill. First is the  
7 need to preserve local water resources. The surface and  
8 groundwater in and under the San Luis Rey River Valley  
9 are currently used and are anticipated to be more  
10 heavily used to offset imported water reductions from  
11 Northern California and the Colorado River. Water  
12 agencies will become more reliant on these local  
13 sources, and they must be protected for future use.  
14 You've heard this concern repeatedly tonight, and we  
15 share those same concerns.

16 The second issue and the one I want to focus on  
17 tonight is the physical protection of the first aqueduct  
18 pipelines that are immediately adjacent to the proposed  
19 active landfill footprint, in some cases within 75 feet.  
20 Our facility concerns were presented in a letter to the  
21 LEA dated August 12th, 2010. And I want to reemphasize  
22 those here tonight. Those concerns include the  
23 following: Blasting on both sides of and in close  
24 proximity to the pipeline right-of-way where excavation  
25 of the landfill and borrow areas could damage the

0078

1 pipelines through repeated excessive shock and  
2 vibration.

3 Heavily laden trash trucks and soil-filled dump  
4 trucks traveling back and forth across the right-of-way  
5 could damage pipelines which were not designed to  
6 withstand such heavy loads. Scour resulting from the  
7 proposed landfill access bridge across the San Luis Rey  
8 River could alter sedimentation patterns, resulting in  
9 exposure and damage to the pipelines buried under the  
10 riverbed. Chemical reactions resulting from corrosive  
11 landfill leachate or gases permeating into the adjacent  
12 right-of-way could compromise pipeline integrity.

13 Despite repeated requests for information, the  
14 landfill Applicant has not provided any technical data  
15 to address these concerns. These two pipelines are a  
16 major source of drinking water to several of our north  
17 county communities. Damage or failure due to landfill  
18 operations is not a risk the water authority is willing  
19 to accept.

20 Because these concerns have not been addressed,  
21 we believe that if a permit is issued, that pipeline  
22 relocation is the only appropriate protection measure.  
23 Both Proposition C and the adopted CEQA mitigation  
24 measures require that the landfill Applicant execute a  
25 written agreement with the water authority to ensure the

0079

1 protection of the pipelines before landfill construction  
2 commences. This condition, as well as all other  
3 measures related to pipeline relocation option as stated



in the final EIR, must be included if a permit is issued for the landfill project.

Also, I would like to note that an encroachment permit is required to be issued by the water authority board in order for the aqueduct right-of-way to be used for any aspect of the landfill project. Thank you.

MR. DRAKE: Thank you, Mr. Purcell.

MR. RUSINEK: Good evening. Walter Rusinek.

I'm with the law firm of Procopio, Cory and I've represented the Pala Band in this matter for a number of years. I want to make my comments brief and I want to touch on a few things that have been stated before.

The first thing I want to say is that this is a public informational meeting, but a 500-plus-page document on which this meeting is based was only supplied a little more than a week ago to the public to review on the website of the County. And so if you're actually expecting technical expertise responding to that document, you're clearly not going to get it. And I don't think that time was sufficient.

The second thing is there has been mention tonight, this third-party analysis of the landfill.

I've made public records requests; I've never seen that. I assume that document is part of the record. It's been brought in tonight and it will be part of the record that you consider. And I would request that that be posted onto the website so everybody can review that. And I would like a copy of that as well.

Something else that's been mentioned is the fact that this \$100 million insurance policy, which, of course, nobody has ever seen that policy, and I would suggest that since Gregory Canyon is saying they're going to put that policy in place, that they should do that as part of the permit, and that should be put in place prior to the beginning of construction or issuance of the permit.

Something else has been mentioned, and I want to talk about this. It was raised before, this issue of your statement of overriding considerations. I mean, I've been with this project a long time and I've seen the County deny for years that the permit was even invalidated by the court. We had to go to court to get you to finally realize that that permit did not exist. So I'm going to just say that something else that the LEA is, and that is that they are the lead agency for the CEQA document. And that under that auspice, you will have to do a statement of overriding

considerations.

Before you get to that point, though, I think that it's something that -- everybody keeps talking about how this is forever, and it will be. And another thing that is forever and has never been looked at through CEQA are the greenhouse gas emissions that will be coming from this landfill, to the point that the landfill gas will be generated in the millions of tons by the time this landfill is finally full. And from a hundred years from when it's been done, when the first waste has been placed, Gregory Canyon's own consultants show that it will be 300,000 tons of emissions a year. No analysis has been done of this at all. And when I've raised this issue before, the County's position based on

15 a legal analysis given to them by Gregory Canyon has  
16 been, "Oh, that should have been raised before and it  
17 wasn't, so we don't have to do it."

18 This is something that the LEA needs to step  
19 away from Gregory Canyon. I understand Gregory Canyon  
20 pays the attorney's fees for the County and for their  
21 attorneys to fight this. They pay my attorney's fees a  
22 lot of times. But this is something you need to step  
23 back and look at.

24 The second thing is when you step back and --  
25 after you do that, if you go to a statement of

0082

1 overriding considerations, you need to redo the benefit  
2 analysis. This idea about traffic benefits, about  
3 economic benefits, it was wrong in 2003. It's wrong  
4 now. It's even more wrong. Thank you.

5 MS. PATTON: Hi, my name is Kathleen Patton.  
6 And this dump that they want to put in is in my  
7 neighborhood. I live on the other side of Gregory  
8 Canyon. And I'm also an environmental engineer and have  
9 been for 20 years. I can tell you on my professional  
10 side, I've worked with superfund projects, have for 20  
11 years. What superfund are, when the homeowner or the  
12 business cannot pay for the cleanup, and it's every  
13 single one of you have paid for the cleanup of these  
14 superfund projects all over the United States.

15 There is no fitting that doesn't eventually  
16 leak. There is no liner that doesn't eventually leak.  
17 That's how I made my business. That's how I got paid,  
18 is cleaning up all these areas that it was the newest  
19 and improved containment that would not leak. I'm  
20 telling you, it leaked. Put all my five kids through  
21 college and bought me a nice house on the other side of  
22 Gregory Canyon. I don't want to lose that, and neither  
23 do the rest of my 75 neighbors who signed this petition.  
24 I would ask that you not do that. It affects me.

25 Not only that, but all the people who voted

0083

1 without knowledge for this to pass, I don't see one of  
2 you out there getting up there and saying, "Hey, put  
3 that dump in now, now that we know the facts. Now that  
4 we know." And the only people that have spoken for it  
5 are paid employees of Gregory Canyon and a friend of  
6 someone who has paid -- a paid employee of Gregory  
7 Canyon. Don't do it. Please, don't do it. Thank you.

8 MR. DRAKE: Thank you.

9 Could I have 19, 20, 21 and 22. Jonathan  
10 Fegan, Carlsbad, James Orcutt, Cynthia Mallett, and  
11 Ruth Harber, please.

12 MR. FEGAN: Hello, I'm Jonathan Fegan. I  
13 actually came here originally to support Gregory Canyon,  
14 but I've listened to the arguments and just like there  
15 is just too much against it for me to -- like too many  
16 people that really feel about this, and I just think  
17 that from what I've heard, that there is no reason to  
18 put this landfill in when we have enough, like, space  
19 and all these other landfills. And that's it.

20 MR. ORCUTT: My name is James Orcutt. I'm a  
21 50-year resident of Fallbrook. I've lived in this town  
22 and grew up in this town, went to school in this town.  
23 And a lot of people don't realize that a lot of the  
24 public schools are built over landfills right here in  
25 Fallbrook. So put that in your pipe.

0084

1 And my father was a builder here. And as a  
2 kid, I would ride with him to the dump or landfill,  
3 whatever you want to call it. And it was just part of  
4 our business. Now we have to bring it down to a  
5 transfer station, spend, I don't know, \$500 to have it  
6 shipped down to San Diego somewhere. Who knows. I  
7 mean, we need a local landfill again. I'm sorry. These  
8 people that are -- don't want it in their backyards, you  
9 know, I could feel for them, you know. But guess what?  
10 If we listen to everything environmentalists say, guess  
11 what, we're not going to have any water at all.

12 They've already shut off our water up north  
13 here because of a stupid little fish. I, for one, am  
14 quite frankly sick and tired of environmentalism. And  
15 I, for one, want this thing in here. Thank you.

16 MR. DRAKE: Okay. Thank you, sir.

17 Ms. Mallett.

18 MS. MALLET: Hello, my name is Cynthia  
19 Mallett. I'm a resident of Bonsall. I'm also the  
20 president of the San Luis Rey Watershed Council. The  
21 mission of the San Luis Rey Watershed Council is to  
22 preserve, protect, and enhance the natural cultural,  
23 economic interests of the San Luis Rey watershed. With  
24 this in mind, the stakeholders within the San Luis Rey  
25 Watershed have great concern that the approval,

0085

1 building, operation, closure, and eventual elimination  
2 of maintenance and monitoring of the proposed Gregory  
3 Canyon Landfill will negatively impact the resources  
4 that the San Luis Rey Watershed Council is striving to  
5 protect.

6 The San Luis Rey River Watershed has natural  
7 alluvial aquifer formations that are capable of storing  
8 and providing significant potable water resources. In  
9 fact, it is perhaps the largest watershed in San Diego  
10 County that has such formations. In an area of the  
11 country that has ongoing water supply problems and  
12 declining water resources from the Colorado River, it  
13 makes no sense to allow a landfill to be constructed at  
14 a site where the landfill will eventually impact a very  
15 important regional water resource. The loss of this  
16 resource would be extremely damaging to our region and,  
17 therefore, there could be no justification for allowing  
18 this risk.

19 On paper, the engineered design of the landfill  
20 will demonstrate environmental protection during  
21 operation and for 30 years after closure. But 30 years  
22 after landfill closure, the landfill operators and  
23 owners will eliminate any maintenance, dewatering  
24 operations, and water monitoring tasks. This will  
25 happen after many of us in this room are not alive. The

0086

1 San Luis Rey Watershed Council and its stakeholders ask  
2 the permitting agencies to provide the details to  
3 guarantee, and I emphasize guarantee, that the landfill  
4 infrastructure will not negatively impact water  
5 resources for hundreds and thousands of years to come,  
6 not just the 60 years for operation and closure  
7 maintenance. If this guarantee -- if this guarantee  
8 cannot be fulfilled, then this permit should not be  
9 issued.

10 Also in regards to the insurance policy, this

11 policy should be available beyond operation and closure  
12 for eternity, for thousands and thousands of years. If  
13 this is not feasible, the permit should not be issued as  
14 well. Everyone knows -- everyone in this room knows  
15 that this site is not the right site for a landfill,  
16 even though some people will not admit to it.

17 As public officials, your conscience should  
18 also be the driver for your decisions. Thank you.

19 MR. DRAKE: Could I have Dave Shibley,  
20 George Courser, and Patsy Fritz, and George Wilkins,  
21 please.

22 MR. COURSER: Good evening, my name is  
23 George Courser. I'm representing Back Country  
24 Coalition. I'd like to thank you for having this  
25 hearing, but I believe the reason this hearing is being

0087

1 held is the result of a Superior Court Judge Robert  
2 Dahlquist, and I'm thanking him. And frankly, I'm  
3 hoping he's here. I want him to see the people who have  
4 turned out to disapprove of this landfill, this very  
5 poorly conceived landfill.

6 The same environmental docs that the judge  
7 refuted and now has you having this hearing, my  
8 understanding is this is the first actual DEH hearing  
9 that has occurred. This is a countywide proposition  
10 from 1994. Don't limit the public hearings to  
11 Fallbrook. San Diego, as a city where I reside, is part  
12 of the county. My parents, living in Escondido, my  
13 friends in the east county, they all voted on this.  
14 Let's give them the opportunity to hear what the  
15 situation really is.

16 And you can do that for yourself. A simple  
17 phone call to the United States Marine Corps at  
18 Camp Pendleton will really explain what happened at  
19 Las Pulgas and this whole lining fiasco. That was a  
20 failure. This will be your personal failure. Don't  
21 allow this to happen.

22 The liability, there isn't enough liability to  
23 cover drinking water. The loss of this drinking water  
24 aquifer will be catastrophic. Don't let this happen to  
25 your county. And thank you.

0088

1 MR. DRAKE: Thank you.  
2 Dave Shibley and then Patsy Fritz, and then  
3 George Wilkins.

4 Dave, you're up. Or Patsy, you're free to go.

5 MS. FRITZ: Patsy Fritz from Pauma Valley.  
6 This landfill risks the aquifer of the San Luis Rey  
7 River, the source of the highest quality water in  
8 San Diego County. It supplies 25 percent of Oceanside's  
9 water, the second largest city in the county. This  
10 aquifer took millions of years to develop, and it cannot  
11 be replaced. Mankind will be gone in the time it would  
12 take to replace this aquifer. This is a long, a long  
13 slow process.

14 Landfill liners leak a really toxic leachate,  
15 and it permeates the fractured bedrock below that you  
16 cannot remediate. You can't scrub every parcel of  
17 shale. Take a look at northern Alberta where they're  
18 taking -- they're steaming the oil out of the land. And  
19 you see those toxic basins up there filled with green  
20 terrible fluids. And again, it's Indian country. And  
21 it seeps into their lake, and all the fish are

22 misshapen: Two sets of tails; terrible, terrible lumps  
23 on their side. You can't have this in this county.  
24 Why are we willing to risk destroying a  
25 million-year-old aquifer for 30 years of garbage storage

0089

1 for L.A.'s garbage? That's where the money is and  
2 that's why it's being built. Why else would the owners  
3 refuse to contractually limit its capacity to San Diego  
4 County generated waste. If you're going to have a  
5 contract with these people, limit it to what it said in  
6 the opening lines of the 1994 ballot item. It related  
7 to San Diego County waste, and it should be limited to  
8 that contractually.

9 We have reduced our waste stream and we have no  
10 need for this dangerous facility. Water is precious.  
11 L.A. garbage is not. Our Luiseno neighbors have spoken  
12 from the heart about their faith. My background is  
13 Iroquois, a very small portion, but I have studied our  
14 neighbors here. Of all of the tribal nations in  
15 California before the Jesuits came to supposedly convert  
16 them to a single God, the Luiseno were the most  
17 theologically advanced people and believed in one God,  
18 and you should not impinge and destroy that faith.  
19 Thank you.

20 MR. WILKINS: Hello, my name is  
21 George Wilkins. Please forgive my appearance. I've  
22 been in the field all day. I hadn't planned to speak,  
23 so I have submitted written comments. But we've heard  
24 from our experts, and I think it's important that you  
25 hear a differing expert opinion. I'm also the vice

0090

1 president of the San Luis Rey Watershed Council.  
2 Cynthia Mallett spoke a few minutes ago. And our  
3 organization has been working here since 1994. We're a  
4 cooperative nonprofit stakeholder organization and we're  
5 formed of government agencies, Native American tribes,  
6 water districts, special districts, and other  
7 nongovernmental organizations.

8 We have worked cooperatively for a long time,  
9 and our organization is opposed to approval of this  
10 landfill for what should be very obvious reasons. We've  
11 heard a lot of testimony about different things, so I'd  
12 like to focus on a couple specific things.

13 I'm a watershed hydrologist, which means that I  
14 am a scientist who specializes in water flooding and  
15 watershed hydrology processes. I've worked extensively  
16 on this watershed for over 20 years, including being  
17 contracted by the Department of Interior to design a  
18 flood warning program for tribal and federal lands after  
19 the Poohmacha fire.

20 I've been in the canyons today of Mount  
21 Palomar. And as beautiful as this display is, anybody  
22 who knows about the Elsinore fault knows that it has  
23 been upgraded to be capable of producing a 7.5  
24 earthquake. And if you're following your research at  
25 all, you also know that the USGS has said that the 7.2

0091

1 earthquake in Mexico loaded significant additional  
2 strain to the Elsinore fault. So this fault is loaded  
3 for bearing.

4 This liner, the whole landfill, is  
5 approximately -- it's less than 10 miles from the  
6 Elsinore fault. You can look at it on the USGS website,

7 see the acceleration maps, look at the type of  
8 acceleration that would impact the landfill in any  
9 significant earthquake, anything greater than 6. And  
10 unfortunately, the liner won't survive. That's just the  
11 way it is.

12 The other issue is flooding. I don't have a  
13 lot of time to go into detail, but the site of the  
14 landfill is adjacent to the San Luis Rey River, and the  
15 bridge, the ancillary facilities are all within the  
16 hundred-year flood plain. The San Luis Rey has a long  
17 history of extreme flood episodes. Large damaging  
18 floods have occurred in this watershed in 1862, 1883,  
19 1916, 1926, 1980, 1993, and 2005, although 2005 wasn't  
20 too bad.

21 The 100-year flood of record for this watershed  
22 was 1916. And during this flood, 96,000 cubic feet per  
23 second were measured or estimated by the USGS and  
24 Oceanside. It completely wiped out every bridge in the  
25 watershed. It completely wiped out the Oceanside

0092

1 pumping plant, which is located far from the main stem  
2 of the river. If you look at your records -- and I  
3 worked for the County of San Diego Flood Control  
4 Hydrology for 12 years. I know what I'm talking about.  
5 It will not survive a large flood. Thank you.

6 MR. DRAKE: Thank you.

7 MR. SHIBLEY: Hi, my name is Dave Shibley. I  
8 was number 24 on the list but somehow I guess I got  
9 shifted over.

10 MR. DRAKE: You went to the rear of the line.

11 MR. SHIBLEY: Thank you. I live in Escondido.

12 I'm not a paid consultant with Gregory, but I  
13 have studied landfills in other areas of the county.  
14 I've had to do reports and things of that nature, so I  
15 took the time when it was developing to read all the  
16 information on it. And what I hear today is sometimes  
17 difficult to accept. I mean, in reality, a lot of  
18 testimony you're getting is emotional testimony. But  
19 the reality is the fact that you're going to base your  
20 decision on the facts that met all the federal and state  
21 requirements, environmental requirements if they meet  
22 those requirements. Even though you'll probably be  
23 unpopular, you'll probably have to approve it. I'm not  
24 second-guessing anybody, but that's the reality of the  
25 way the system works.

0093

1 Okay. It seems to me if we can find a way to  
2 put man on the moon, we can find a way to have a liner  
3 not leak. It's just that simple. I know we don't like  
4 the location. Hopefully -- my kids even went to school  
5 here in Fallbrook 10 years ago. In terms of water being  
6 a finite quantity, a desalination plant in Carlsbad will  
7 provide 90% of our drinking water -- (unintelligible) --  
8 will double that amount. Regardless of Gregory being  
9 improved or not, there is going to be some water  
10 shortages that will have to be addressed. The size of  
11 the water table, they're making this particular water  
12 table, I don't know if that's just a -- (unintelligible)  
13 -- or how large it is, but in the east of the county,  
14 population growth and everything else, believe me, there  
15 is going to be more water found. You've got the whole  
16 Pacific Ocean out there. It's just that simple.

17 I also think that we have to accept the fact

18 that, in my opinion, if we create waste here, we have a  
19 moral obligation, whether a public official or the  
20 public, if it is created here, then you need to take  
21 care of it. You don't have the luxury of shipping it  
22 out to Arizona and all the environmental things that  
23 occur, like putting all the traffic and everything else  
24 on the road. You don't have the luxury of shipping it  
25 down to Miramar and Sycamore. If you have a problem

0094

1 here, you take care of it, and you take care of it  
2 locally.

3 Plus all your population centers are coming up  
4 here to north county. Your growth is coming here.  
5 There is no less than -- (unintelligible) -- may or may  
6 not get approved. You've got the three P's here.  
7 Another thing that's good about this site is the fact  
8 that you have three sources of nonpublic money --

9 MR. DRAKE: Could we allow the speaker to  
10 finish, please, without interruption.

11 MR. WILKINS: And I listened to all you folks  
12 and said nothing. At least have the courtesy to listen  
13 to folks on the other side, too. I think that's how  
14 democracy works. Thank you.

15 Anyway, you've got the three P's, building and  
16 population centers coming up. You've got three sources  
17 of revenue. You've got the gaming industry with three  
18 casinos being proposed. You've got Gregory Canyon  
19 itself that's going to contribute some of the traffic  
20 mitigation. You also have Rosemary Mountain.

21 Consider the fact that both these projects,  
22 Gregory and Rosemary, have a lifetime of 30 to 40 years.  
23 When they go away, the traffic disappears. But if you  
24 ship all this waste out to the desert and all over the  
25 country, you're creating a lot of air pollution that's

0095

1 very difficult to mitigate. It's a lot easier to get  
2 other water sources, even though it will be expensive.  
3 And if we get the other water sources, I think it will  
4 allow us to eventually get back to some agricultural  
5 roots to where the agriculture industry also can  
6 survive.

7 And the last thing I'm going to be addressing,  
8 even though it's an emotional issue, but I hate to let  
9 it go by, is the fact that nobody has addressed the big  
10 elephant in the room or has the stomach to do it. We're  
11 complaining about this developer making all this money,  
12 yet all our -- (unintelligible) -- revenue comes out of  
13 -- (unintelligible) -- county, and we bring it in by  
14 buses and we get all this money. So I would say to you  
15 folks, to the Indian tribes, as much as I like what  
16 you're doing with gambling and I hope all of you get  
17 rich, with the treatment you've had for 200 years, I  
18 would say to you if you're that concerned, then I would  
19 say pool some of that gambling money and buy this site  
20 if it bothers you that much.

21 MR. DRAKE: Thank you, sir.

22 Do we have anyone else in the audience who has  
23 not yet filled out a speaker slip who would like to make  
24 an added comment?

25 Sir.

0096

1 MR. THOMPSON: Go up there?

2 MR. DRAKE: Yes, please. And give your name

and where you're from, please.

MR. THOMPSON: My name is Bob Thompson from Rancho Monserate. Something that hadn't been addressed, on the sheet I was looking at, it said there would be 647 vehicles a day going on this road. And anybody that's been on 76 knows how windy and dangerous it is. And if my figures are right, they work 10 hours a day, that would be 64 rigs an hour or one every minute going on that highway.

The highway now is dangerous. I can't believe one dump truck or water truck every minute. It's going to be very, very bad. Thank you.

MR. DRAKE: Thank you, sir.

MR. MIRANDA: Leroy Miranda, Vice Chairman of Pala Band of Mission Indians. And I invite you, come out there and look at the site. I'll show you some things there that you need to see. Once you see it, you'll understand why it's so sacred to our people. It was given to us a long time ago to worship, to pray to our Heavenly Father. It's a place where we go and know where we're at, and we feel the feelings of what -- the spiritual thing of the whole thing.

Now, the young man said -- or over 30, that guy

that was just up here earlier, that, you know, the landfill, "Oh, yeah. We need one." And the water. Water is precious. That's life. That's what God has given us so we could have something, so we could actually generate and become good. Water, you just don't throw it. That's not right. And to say that, "Oh, this is good for the landfill." No, it's not good. The place is beautiful. It's sacred amongst our people. I could take you there and show you things, show you that, show you that. I could actually show you something to show you, because I've been there. I've seen it myself.

How many of you people walked and looked at those sacred sites? You hear it? Listen. Oh, yeah, you did. You got all muddy. But once you see it, then you know why it's so sacred. If you don't see it, you don't know. It's just another place. Go out there. I invite you. As a vice chairman, you know, I'll show you so you know what we're talking about, how sacred it is.

Yes, there is an eagle there. An eagle. One of ours, north county eagle. It's there. How many north county eagles are around here? Hardly any. It's a Pala eagle. It's ours and he's there. And that's sacred. That sends our prayers and everything into heaven. You don't destroy and mess around with things

like that. And if you're a believer, you'll protect things like that, because it's given to us. Given to us to worship our Heavenly Father.

So come out and visit. Come out. In fact, I invite you. Please come out. Thank you.

MR. DRAKE: Are there any other speakers?

MS. SLATER-PRICE: I think this has been a great hearing, and I just wanted to address one subject that I haven't addressed before. Having sat on the Board of Supervisors now for 18 years, I can tell you that we've had many, many sessions in closed session where we have dealt with closed landfill remediation. Some of these burns sites and some of these landfills



14 existed long before my tenure on the Board of  
 15 Supervisors started. And I can tell you that landfills  
 16 are the gift that keeps on giving and giving and giving,  
 17 and it never ends. Because if you've ever driven on  
 18 Highway 52 and you find yourself going like this up and  
 19 down, that's because of landfills. That's because of  
 20 methane gas underneath, and that's because of  
 21 subsidence. That happened after they already authorized  
 22 a road to be built there. Palomar Airport had many  
 23 problems with subsidence because of the former landfill  
 24 and burn site that was there and because of the  
 25 accumulation of methane gas and the subsidence.

0099

1 So these kind of things are not things that --  
 2 these are not need to have. They're not even nice to  
 3 have. They're things that we'd like to avoid. And  
 4 frankly, we should not be looking at how many more new  
 5 landfills we can build but how many can we avoid  
 6 building. Avoidance is the answer. That's where we're  
 7 going now. Construction waste is no longer a good  
 8 subject to be buried any longer. It's too valuable. So  
 9 many of our resources, we're finally realizing the value  
 10 inherit in the actual resource. So that is what we've  
 11 heard from so many speakers before. The value of these  
 12 resources is being recognized and they are now being  
 13 reused and recycled, and our whole culture is changing.  
 14 It's time for us to change now.

15 I implore you, Mr. Miller, to take into account  
 16 all of this and please deny this once and for all. We  
 17 need to move on. Thank you.

18 MR. DRAKE: I would like to thank the  
 19 Supervisor, thank you, for the opening and the closing  
 20 for tonight's program. So this then closes the public  
 21 meeting for the solid waste facility permit for the  
 22 proposed Gregory Canyon Landfill. We really appreciate  
 23 you taking the time to participate in this meeting,  
 24 offer your comments, and listen. I thank you for your  
 25 decorum.

0100

1 Your input, of course, will be considered by  
 2 the LEA staff in preparing a proposed permit.  
 3 Mr. Miller will consider your comments in deciding  
 4 whether to send a proposed permit to CalRecycle. So  
 5 thank you, again, for coming tonight, for your comments.  
 6 Be careful going home and enjoy the evening. Good  
 7 night.

8 (The proceedings concluded at 8:52 p.m.)  
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3 REPORTER' S CERTI F I C A T E  
4

5 The undersigned Certi f i e d Shorthand Reporter  
6 does hereby declare under penal ty of perj ury:  
7

8 THAT the foregoing was taken before me at the  
9 time and place therein set forth and was recorded  
10 stenographi cally by me and was thereafter transcribed,  
11 said transcript being a true copy of my shorthand notes  
12 thereof.

13 IN WITNESS WHEREOF, I have hereunto subscribed  
14 my hand this 11th day of March, 2011.  
15

16  
17 \_\_\_\_\_  
18 DAWN M. DAVILA  
19 Certi f i e d Shorthand Reporter  
20 Certi f i c a t e No. 8383  
21  
22  
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25